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THE

Campaign Book

1882. OF THE 1882.

Democratic Party.

THE REPUBLICAN PARTY REVIEWED.

ITS SINS OF OMISSION AND COMMISSION.

Why a Change is Demanded by the People.

Democracy is a sentiment not to be appalled, corrupted or compromised. It knows no baseness; it cowers to no danger; it oppresses no weakness; it is destructive of despotism; it is the sole conservator of liberty, labor and property; it is the sentiment of equal rights, of equal obligations, the very law of Nature itself pervading the land.

WASHINGTON, D. C.:
R. O. POLKINHORN, PRINTER,
1882.

REPUBLICAN RECORD

OF THE

FORTY-SEVENTH CONGRESS.

A Reckless Advance toward---

Centralization and Imperialism;
Excessive Taxation;
Protection of Monopolies;
Extravagant Appropriations;
Degradation of American Labor;
Neglect of American Citizens Abroad;
Corruption of the Civil Service;
Jobbery and Hypocrisy.

A Plain Statement of Facts Compiled from Official Records for the Consideration of the People.

BY AUTHORITY OF
The Democratic Congressional Committee.
1882.

DEMOCRATIC

CONGRESSIONAL CAMPAIGN COMMITTEE:

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Chairman.

BEN. LE FEVRE,
Secretary.

FINANCE COMMITTEE:

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All communications should be addressed to---

Hon. PHIL. B. THOMPSON, Jr.,

SEC'Y BOARD OF CONTROL,

WASHINGTON, D. C

INTRODUCTORY REMARKS.

The history of the Forty-Seventh Congress, except the special session of the Senate, is not at first thought a partisan record; but beneath the surface may be found a conflict of fundamental theories of government—of principles upon which the two great rival parties are based.

The Democratic party, not only in name and theory, but in practice, is a party of the people, and devoted to the protection of their rights and liberties.

The Republican party, judging from its record during the present Congress, is a huge business machine, ambitious to put its stamp upon every citizen's private affairs.

The issue between the two is law, liberty, local self government, a tariff for revenue, economy, an honest and efficient civil service, protection of labor and society, protection of American citizens abroad, and sincerity, on the one side, against centralization and imperialism, protection of monopolies, oppressive taxation, extravagance, corruption of the civil service, lawlessness, a degredation of labor and society, neglect of American citizens abroad, and hypocrisy, on the other.

These distinctive features of the two parties were never better illustrated than by the acts of the 47th Congress.

The arraignment may seem too severe, but it can be sustained by facts and figures.

This reckless Congress, organized and controlled by a Republican majority, is, at the coming fall elections, to be judged by the sovereign people. We therefore submit to them its official history; not only the record of votes on important issues between the two parties, but such extracts from the debates as will illustrate and give point to their acts.

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The Democratic Platform.

Adopted by the National Democratic Convention held at Cincinnati, June, 1880.

The Democrats of the United States, in Convention assembled, declare—

1. We pledge ourselves anew to the constitutional doctrines and traditions of the Democratic party as illustrated by the teachings and example of a long line of Democratic statesmen and patriots, and embodied in the platform of the last National Convention of the party.

2. Opposition to centralization and to that dangerous spirit of encroachment which tends to consolidate the powers of all the Departments in one, and thus to create, whatever be the form of government, a real despotism; no sumptuary laws; separation of Church and State for the good of each; common schools fostered and protected.

3. Home rule; honest money, consisting of gold and silver, and paper convertible into coin on demand; the strict maintenance of the public faith, State and national, and a tariff for revenue only.

4. The subordination of the military to the civil power, and a genuine and thorough reform of the civil service.

5. The right to a free ballot is a right preservative of all rights, and must and shall be maintained in every part of the United States.

6. The existing administration is the representative of conspiracy only, and its claim of right to surround the ballot-boxes with troops and deputy marshals to intimidate and obstruct the election, and the unprecedented use of the veto to maintain its corrupt and despotic powers, insult the people and imperil their institutions.

7. We execrate the course of this administration in making places in the civil service a reward for political crime, and demand a reform by statute which shall make it forever impossible for a defeated candidate to bribe his way to the seat of a usurper by billeting villains upon the people.

8. The great fraud of 1876–77, by which, upon a false count of the electoral votes of two States, the candidate defeated at the polls was declared to be President, and for the first time in American history the will of the people was set aside under a threat of military violence, struck a deadly blow at our system of representative government. The Democratic party, to preserve the country from the horrors of a civil war, submitted for the time in firm and patriotic faith that the people would punish this crime in 1880. This issue precedes and dwarfs every other. It imposes a more sacred duty upon the people of the Union than ever addressed the consciences of a nation of freemen.

9. The resolution of Samuel J. Tilden not again to be a candidate for the exalted place to which he was elected by a majority of his countrymen, and from which he was excluded by the leaders of the Republican party, is received by the Democrats of the United States with deep sensibility, and they declare their con-

fidence in his wisdom, patriotism, and integrity, unshaken by the assaults of the common enemy; and they further assure him that he is followed into the retirement he has chosen for himself by the sympathy and respect of his fellow-citizens, who regard him as one who, by elevating the standard of public morality and adorning and purifying the public service, merits the lasting gratitude of his country and his party.

10. Free ships and a living chance for American commerce on the seas, and on the land no discrimination in favor of transportation lines, corporations, or monopolies.

11. Amendment of the Burlingame treaty; no more Chinese immigration, except for travel, education, and foreign commerce. and that even carefully guarded.

12. Public money and public credit for public purposes solely, and public land for actual settlers.

13. The Democratic party is the friend of labor and the laboring man, and pledges itself to protect him alike against the cormorants and the commune.

14. We congratulate the country upon the honesty and thrift of a Democratic Congress which has reduced the public expenditures $40,000,000 a year; upon the continuation of prosperity at home and the national honor abroad; and, above all, upon the promise of such a change in the administration of the Government as shall insure us genuine and lasting reform in every department of the public service.

I. Organization of the House.

The House of Representatives of the Forty-seventh Congress met December 5, 1881, and elected the following officers: Speaker, J. Warren Keifer, of Ohio; Clerk, Edward McPherson, of Pennsylvania; Sergeant-at-arms, George W. Hooker, of Vermont; Doorkeeper, Walter P. Brownlow, of Tennessee; Postmaster, Henry Sherwood, of Michigan; Chaplain, Rev. J. D. Power.

NOMINATION OF KEIFER.

The circumstances which led to the nomination of Mr. Keifer for Speaker are interesting. A short time before the meeting of Congress the candidates for the Republican nomination for the office of Speaker of the House of Representatives established headquarters in Washington and began an active canvass. Hiscock, Kasson, Keifer, Reed, Orth, Robeson, Burrows, were the leading candidates. Mr. Robeson soon found it prudent to withdraw from the contest and devote his ability and following to the naming of the successful candidate. Events have shown that he did not miscalculate. The leading candidates, Mr. Hiscock and Mr. Kasson, were both men of character and experience, and it seemed to all not in the secret of Mr. Robeson's design that one or the other would surely win. It soon became apparent, however, that the canvass was not conducted on the test of merit or conspicuous personal qualification. Mysterious influences were at work to weaken Mr. Hiscock, and Mr. Kasson was assailed for being the friend of Mr. Blaine. Mr. Keifer's strength at this time consisted almost entirely of the delegation from Ohio, the members of which were beginning to weary of his persistency in pushing himself to the front. His candidacy was not regarded seriously by any well informed observer, and wagers were freely made at large odds that he would receive fewer votes than either Mr. Hiscock or Mr Kasson. Suddenly the situation changed, and Mr. Keifer forged to the front. This wondrous change was due to a—

CONSPIRACY OF THE BOSSES.

Bosses, representing the stalwart element of the party, met in secret conclave in New York City, and sent forth the ukase that Keifer should be nominated. Soon after this conference Boss Cameron appeared in Washington and announced his choice. Keifer became the candidate of the administration. The Pennsylvania delegation met and, disregarding their pledges to Hiscock and Kasson, resolved to cast their vote as a unit for Mr. Cameron's candidate. Other delegations fell in line. Mr. Robeson, the tainted reminder of Grant, brought up his contingent, Venezuela Orth's following finally followed suit. Mr. Keifer was nominated and the stalwart triumph was complete. The ability and intellect, integrity, and capacity of the party had been suppressed, and a man selected for the exalted position of Speaker of the House of Representatives, who would give scrupulous attention to the distribution of the patronage, work tractably in the harness of the machine, and who, conscious of his own mediocrity, would spend no time in trying to make himself president; or in other words a creature of Robeson.

Mr. Robeson nominated Mr. Keifer in the House, and he received 148 votes—among them those of Mr. Abram Fulkerson and Mr. John Paul, Readjusters from Virginia, and Mr. J. Hyatt Smith, Independent, of New York, against 129 votes for Mr. Randall, Democrat, of Pennsylvania, and 8 votes for Mr. Ford, of Missouri, Greenbacker.

ELECTION OF CLERK.

Not content with naming the Speaker of the House of Representatives the Pennsylvania delegation secured the nomination for clerk of a citizen of the Keystone State, Hon. Edward McPherson. His only opponent was Joseph H. Rainey, of South Carolina. Mr. Rainey's misfortune was in being a negro, and for this reason and for no other, his defeat was assured. He had served for many years in the House as a member with credit to himself and his constituency, and had come unscathed from affiliation with the Republicans of South Carolina, the most corrupt gang of carpetbaggers, scalawags, and negroes who had ever plundered any State. Throughout his Congressional service he had displayed industry and ability, and attained a popularity among members of both parties never equaled by any representative of the colored race. Recognizing his qualifications for the office he was made the nominee of the Republican party for clerk of the Forty-sixth Congress, and received the full vote of the party. Naturally he thought he would receive, when his party was in power, the same recognition he had received when they could only give him a complimentary vote. But he soon realized the insincerity of his party associates, and his support in caucus was almost infinitesimal. Not one single argument was urged against his fitness or capacity. He was a colored man, therefore, there was no place for him.

APPOINTMENT OF COMMITTEES.

The House having elected its officers, its organization was not complete until the Speaker announced the committees. Little business was transacted and frequent adjournments were had to enable the Speaker to have ample time to discharge this most important duty, and in this he was daily and hourly assisted by Mr. Robeson. Robeson having acted as the intermediary between Cameron and Keifer, the contract was that the latter should turn over the organization of the House to those who had made him; and how faithfully Mr. Keifer fulfilled his part became apparent when the committees were appointed. Never before had the committees given such dissatisfaction to the members and to the country. And no wonder; they were not organized to suit the members or to please the country, but to please Mr. Robeson and to further

LEGISLATIVE JOBBERY.

Thirty-five of the fifty-three chairmanships were given to Mr. Robeson's friends. The minority of nearly equal numbers with the majority was rendered powerless in opposition. It had been the custom of former Speakers to consult the leaders of the minority party as to the assignment of its members to committees, but Mr. Keifer consulted none of them. Analysis of the lists shows that great injustice was done to the geographical sections of the country by the appointment of more than one member from a State on the same committee. The following extraordinary exhibit will show the extent to which this was done:

ANALYSIS OF COMMITTEES.

ELECTIONS—Ohio, two: Ritchie, Rep.; Atherton, Dem. Pennsylvania, two: Miller, Rep.; Beltzhoover, Dem.

WAYS AND MEANS—Pennsylvania, three: Kelley and Errett, Reps.; Randall, Dem.

APPROPRIATIONS—New York, three: Ketcham, Hiscock, Reps.; Cox, Dem. Ohio, two: Butterworth, Rep., and LeFevre, Dem.

JUDICIARY—Massachusetts, two: Robinson, Rep., and Norcross, Rep. Ohio, two; Taylor, Rep.; Converse, Dem. Illinois, two: Payson, Rep.; Townshend, Dem.

BANKING AND CURRENCY—New York, two: Cornell, Rep.; Flower, Dem. Pennsylvania, two: Brumm, Gbk.; Ermentrout, Dem.

COINAGE, WEIGHTS AND MEASURES—Missouri, two: Hazeltine, Gbk.; Bland, Dem.

AGRICULTURE—New York, two: Wadsworth, Rep.; West, Rep. Missouri, two: Hazeltine, Gbk.; Hatch, Dem.

FOREIGN AFFAIRS—Wisconsin, two: Williams, Rep.; Dewster, Dem.

MILITARY AFFAIRS—Illinois, three: Henderson, Rep.; Davis, Rep.; Sparks, Dem.

NAVAL AFFAIRS—Massachusetts, two: Harris, Rep.; Morse, Dem. New Jersey, two: Robeson, Rep.; Harris, Dem. Pennsylvania, two: Harmer, Rep.; Watson, Rep.

PUBLIC LANDS—Pennsylvania, two: Watson, Rep.; Mutchler, Dem.

INDIAN AFFAIRS—New York, two: Mason, Rep.; Richardson, Rep.

TERRITORIES—New York, three: Van Vorhis, Rep.; Crowley, Rep.; Dugro, Dem. Ohio, two: Dawes, Rep.; Leedom, Dem.

RAILWAYS AND CANALS—Ohio, two: Townsend, Rep.; Shultz, Rep. Pennsylvania, two: Campbell, Rep.; Wise, Dem.

MANUFACTURES—Pennsylvania, two: Campbell, Rep.; Godschalk, Rep. New York, two: Hammond, Rep.; West, Rep. New Jersey, two: Jones, Rep.; Harris, Dem.

MINES AND MINING—New York, two: Van Vorhis, Rep.; Wood, Dem. Pennsylvania, two: Bingham, Rep.; Brumm, Gbk. and Rep.

PUBLIC BUILDINGS—Pennsylvania, two: Shallenberger, Rep.; Scranton, Rep. Illinois, two: Lewis, Rep.; Singleton, Dem. New York, two: J. Hyatt Smith, Ind.; Hewitt, Dem.

PACIFIC RAILROADS—New York, three: Hammond, Rep.; Bliss, Dem.; Nolan, Dem. Ohio, two: Butterworth, Rep.; Robinson, Rep.

MISSISSIPPI LEVEES—Louisiana, two: Darrell, Rep.; King, Dem. Tennessee, two: Moore, Rep.; Whitthorne, Dem.

EDUCATION AND LABOR—Illinois, two: Sherwin Rep.; Davis, Rep.

MILITIA—Pennsylvania, two: Bayne, Rep.; Mosgrove, Gbk.

PATENTS—Ohio, two: Young, Rep.; Ritchie, Rep. New York, two: Skinner, Rep.; Scoville, Dem.

INVALID PENSIONS—Tennessee, three: Simonton, Dem.; McMillin, Dem.; Pettibone, Rep. Indiana, two: Browne, Rep.; Matson, Dem. Ohio, two: Dawes, Rep.; Rice, Rep.

PENSIONS—Missouri, two: Rice, Gbk.; Burrows' Gbk.

CLAIMS—New York, three: Crowley, Rep.; Mason, Rep; Hutchins, Dem. Georgia, two: Turner, Dem.; Buchanan, Dem.

WAR CLAIMS—Pennsylvania, two: A. Herr Smith, Rep.; Jadwin, Rep.

DISTRICT OF COLUMBIA—Indiana, two: Heilman, Rep.; Pierce, Rep. Pennsylvania, two: Barr, Rep.; Klotz, Dem.

EXPENDITURES TREASURY DEPARTMENT—Pennsylvania, two: Scranton, Rep.; Curtin, Dem.

EXPENDITURES WAR DEPARTMENT—Illinois, two: Marsh, Rep.; Sparks, Dem.

EXPENDITURES NAVY DEPARTMENT—Massachusetts, two: Harris, Rep.; Morse, Dem. Pennsylvania, two: O'Neill, Rep; Harmer, Rep.

EXPENDITURES POST-OFFICE DEPARTMENT—Illinois, two: Cannon, Rep.; Farwell, Rep.

EXPENDITURES ON PUBLIC BUILDINGS—Pennsylvania, two: Errett, Rep.; Wise, Dem.

REVISION OF LAWS—Pennsylvania, two: Brumm, Gbk., and Rep.; Jadwin, Rep.

ACCOUNTS—New York, two: Skinner, Rep.; Hardy, Dem.

ENROLLED BILLS—New York, two: West, Rep.; Belmont, Dem.

CENSUS—New York, two: Prescott, Rep.; Cox, Dem. Indiana, two: Pierce, Rep.; Colerick, Dem.

CIVIL SERVICE—Michigan, two: Horr, Rep.; Hubbell, Rep. Ohio, two: Neal, Rep.; Butterworth, Rep.

ELECTION OF PRESIDENT AND VICE-PRESIDENT—New York, three: Camp, Rep.; Jacobs, Rep.; Hewitt, Dem.

PAYMENT OF PENSIONS, BOUNTY, AND BACK PAY—Pennsylvania, two: Curtin, Dem.; Mosgrove, Gbk.

This is the most extraordinary exhibit ever known. Sometimes men of opposite politics from the same State have been put on the same committee. But the most experienced members say they have never known duplications on committees of same politics. There are many triplications.

The Committee of Elections consists of nine Republicans, one Greenbacker, one Readjuster, who voted for Keifer for Speaker, and four Democrats. In common fairness there should have been seven, or, at least six, Democrats.

The Committee on Ways and Means consists of Messrs. Kelley, Kasson, Dunnell, McKinley, Hubbell, Haskell, Russell, Errett, Randall, Tucker, Carlisle, Morrison, and Speer

The Committee on Appropriations consists of Messrs. Hiscock, Robeson, Cannon, Burrows of Mich., Butterworth, Caswell, Ryan, O'Neill, Ketcham, Blackburn, Cox of N. Y., Atkins, Forney, LeFevre, and Ellis—nine Republicans and six Democrats. Three members of the committee are from New York and two from Ohio. Nine members of the committee had not served on it before.

The Committee on Commerce consists of Messrs. Page of Cal., Richardson of N. Y., Townsend of Ohio, Horr of Mich., Washburn of Minn., Candler of Mass., Ward of Pa., White of Ky.. Guenther of Wis., Reagan of Texas, McLane of Md. Gibson of La., Ross of N. J., and Herndon of Ala.

The composition of this important committee is, perhaps, the most striking instance of Mr. Keifer's blundering incapacity. It has to consider legislation of the greatest importance to the commerce of the country, but it contains no representative of the great commercial cities of Boston, New York, Philadelphia, Chicago, St. Louis, San Francisco, Milwaukee, Cincinnati, Louisville, Buffalo, Detroit, Portland, Norfolk. Charleston, Savannah, or Galveston. Its chairman, Mr. Page, comes from a small mining town in the mountains of California; Mr. Richardson, the member from New York, from the interior of the State, and Mr. White from the mountain district of Kentucky.

The Committee on Reform in the Civil Service consists of Messrs. Orth, Kasson, Horr, Briggs, Neal, Hubbell, Butterworth, House, Curtin, Tucker, and Phelps. Mr. Hubbell's right to a place on this committee will be recognized when it is remembered that he is the author of the recent notorious assessment circulars.

The Committee on Naval Affairs consists of Messrs. Harris of Mass, Robeson, Harmer, Thomas, Watson, Ketcham, Dezendorf, Morse, Davidson, Talbott, and Harris of N. J.—seven Republicans and four Democrats.

It was in the order of public propriety that Ex-Speaker Randall should have been placed, as he desired, on the Committee on Appropriation, of which he was chairman when elected Speaker, and that Mr. Holman, who had been chairman of the Committee, and Mr. Blount, who have done such yeoman work in cleaning out the lobby. But Mr. Robeson was unwilling that these champions of economy should be in a position to prevent, or, at least, expose the extravagant appropriations of the money of the people.

Mr. Keifer treated the members of his own side, who had not supported him in caucus with great injustice. Mr. Kasson was given no chairmanship, nor was Mr. Robinson, the ablest representative from New England. To individual Democrats his conduct was outrageous. No man in public life is held in greater esteem for his eminent talents than Hon. Andrew G. Curtin, the great War Govenor of Pennsylvania. Twice Governor of the State and Minister to Russia, he was entitled to be assigned to a position on a committee of the highest grade. Mr. Keifer placed him on the miserable little Committee on Payment of Pensions, Bounty, and Back Pay. Mr. Randall resigned from the Committee on Civil Service Reform, and requested the Speaker to appoint Gov. Curtin in his stead, which was done, and only by this means was he placed on a committee of any consequence whatsoever.

Gen. William S. Rosecrans, of California, one of the most illustrious soldiers of the Republic, was relegated to the Committee on Public Health and the Commitmittee on Coinage, Weights and Measures. His appointment on the Committee

on Military Affairs would have been no more than a fitting recognition of his eminent service in the Army.

Mr. Holman, of Indiana, is serving his ninth term in Congress, where he has gained great reputation as the watch-dog of the Treasury. He has been chairman of the Committee on Appropriations. Mr. Keifer placed him among the last on the Committee on War Claims.

Mr. Abram S. Hewitt has a national reputation as a representative of unusual ability and experience, who had seen much service in Congress. Mr. Keifer assigned him to the Committee on Public Buildings and Grounds, from which he had to resign because he was interested in a business which would forbid his serving with propriety on that committee. Mr. Hewitt is now a member of the Committee on Ventilation.

Mr. Robeson's influence is unmistakably evident in the construction of the Committee on Naval Affairs. He prevented the assignment to that committee of Mr. Whitthorne, who had made the report exposing his unparalleled corruption in the administration of the Navy Department; and, to prevent all investigations in the future, made himself the second member of the Committee on Naval Affairs, and the Chairman of the Committee on Expenditures in the Navy Department.

Mr. Lewis C. Beach, of New York, was not appointed a member of any committee.

The committees gave such universal dissatisfaction, that with a view to correcting the Speaker's mistakes and silencing the public clamor, Mr. Robeson reported from the Committee on Rules, a resolution to increase the number of members on several of the important committees. The design was so obvious that the House, by a very decided majority, recommitted the proposition, and thus placed the seal of its condemnation on the Speaker and his committees.

II. Centralization and Imperialism.

DEMOCRATIC THEORY OF GOVERNMENT.

The Democratic doctrine of local self-government was well expressed by the lamented President Garfield, whose liberal sentiments often brought upon his head the severe condemnation of his party. In his inaugural address he said in speaking of the results of the war:

"This decree does not disturb the autonomy of the States, nor interfere with any of their necessary rights of local self-government; but it does fix and establish the permanent supremacy of the Union."

REPUBLICAN THEORY.

The Republican theory of government as illustrated by the dangerous tendencies of that party—particularly during the Forty-seventh Congress—is of the Hamiltonian order, not as actually embodied in the Constitution, but as Hamilton would have stamped that document if he had succeeded in his imperial ideas. In a speech upon the floor of the House May 4, 1882, Mr. Morrison, (Dem.) of Illinois, called attention to the Republican tendency as follows:

The form of Government proposed by Mr. Hamilton was not adopted, and is not the one under which we live. He said in the convention to form the Constitution:

"All communities divide themselves into the few and the many; * * * the rich and well-born, * * * and the mass of the people. The people are turbulent and changing; they seldom judge or determine right. Give, therefore, the first class—the rich and well-born—a distinct, permanent share in the Government. They will check the unsteadiness of the second—the mass of the people—and * * * will ever maintain good government. Nothing but a permanent body can check the imprudence of democracy."

Thus it will be seen that, great as Mr. Hamilton was, he believed none but the few he called the rich and well-born capable of governing and maintaining good government. His form of government was rejected, but are we not drifting to its substance? How else are we to account for the growing popularity of his opinions? No one knew better than he that laboring-men are never legislated into his governing class, and that men do not attain riches from the labor of their own hands, but from the profits of the labor of other men. The hardship of this truth is not helped but aggravated by tariffs and by any and every system professedly in the interest of any class. The real friends of labor never attempt such legislation but from mistaken views. In every race for legislative benefits labor obtains less, capital more than its share. Individual enterprise and the legitimate accumulation of capital cannot be interfered with, but legislation which helps an unjust distribution of property or an unfair division of the proceeds of labor is a great public wrong. Aside from land, the value of which depends upon the use made of it, all the capital or the savings of labor in the richest State never exceeds three years' consumption, and as to food we are always nearer than a year to starvation. The earnings of both capital and labor must be paid from their joint product. When capital takes too much, labor receives too little. Official statistics show that under this system in many industries capital takes to itself four times the earnings of its ordinary employment, the rates of interest, and leaves to labor less than its legitimate earnings.

If Mr. Hamilton desired to foster and perpetuate divisions in society and the fortunes of men, the protective policy was wisely selected for the purpose."

HORR'S KEY-NOTE SPEECH.

This imperial policy was indorsed by one of the Republican leaders of the House [Mr. HORR, of Michigan], who, on the 15th of June, 1882, delivered the key-note speech of his party upon the River and Harbor bill. He said:

"I do not claim to bring to the consideration of the constitutional question the

astuteness of a technical lawyer, nor even the experience of a constitutional lawyer proper, as I think a man should do who claims to be a judge of constitutional law. But it looks singular to me, in looking over the history of the past, that almost everything that ever benefited this country has been done in spite of these constitutional croakers.

* * * * * * * * * * *

"We should not forget that we live in an age of great achievements. Grand enterprises, mammoth undertakings, are exactly fitted to the mental peculiarities of our Anglo-Saxon race. Courage to grapple with the immense is one of the distinguishing features of the inhabitants of this Republic. Feebleness, timidity, faint-heartedness, do not become our day and generation. To dare and to do are the crowning glories of our American civilization. The necessities of the hour call for men who have brains to plan, who have faith in themselves, who have hands to execute. Fear of failure has no place in the great achievements of to-day. Like Cardinal Richelieu, we should know no such word as fail."

On the subject of "What is a Nation?" he quoted as follows from a French writer, M. Renan:

A nation is a soul—a spiritual principle. Two things, which in truth form but one, constitute this soul, this spiritual principle—the possession in common of a rich legacy of souvenirs, and the desire to live together, the will to continue to profit by the inheritance received undivided. Man cannot be improvised. The nation, like the individual, is the outcome of a long past of efforts, of sacrifices, and of devotion. The worship of ancestors is, of all, the most legitimate; our ancestors have made us what we are. A heroic past, great men, glory, (I mean true glory,) this is the social capital on which a national idea is based. To have common glories in the past, a common will in the present—to have done great things together, to wish to do more—such is the essential condition of being a people. * * A nation, then, is a grand solidarity, constituted by the sentiment of sacrifices made and of those that one is disposed to make still.

To which doctrine he added his own endorsement. as follows:

"Mr. Chairman, if this great French scholar be right, then surely no work can give life to our nation except such as requires courage, heroism, self-sacrifice. It would seem from his philosophy that the life of every great and good man is an epitome of the life of every great and good nation. Strength gathered from the noble examples of the past, aided by the energy springing from the holy ambitions of the present, is the real power of the individual and the nation.

"Then let us enter upon this great internal improvement full of that hope which always comes from high resolves and firm determination. It may be that the first experiments will prove failures. Such has been the lot of very many of the great successes of the past. In such an event new plans must be devised. In doing this let us be hampered by no strained construction of our Constitution; let us be deterred by no unmanly fears of final failure; let us rather be governed by that principle of exegesis and animated by that hopeful courage which springs from the reflection that if err we must, if fail we must, it shall be on the side of humanity, while we are struggling to benefit our fellow-men who are being driven yearly from their homes with such loss of property and often with fearful loss of precious lives.

"Yes, let us resolve that we will be masters of the situation. Up to this time no obstacle has been permitted long to stand in the way of the upward and onward march of this nation we all so much love."

This theory of government was immediately condemned by Mr. Cox, on the Democratic side of the House, who replied:

"I know it is a great thing to describe a nation with a large N, to describe a nation as having a soul. I know that Mr. Renan's quotation is nothing but a paraphrase of Sir William Jones' wonderful definition of what "constitutes a State." There is nothing new in it. It is the transcendentalism of the Buazvit Gheeta, which Sir William learned in India from the Brahmins. It is the essence of political metaphysics. But when we come to practical legislation the largest

philanthropy is the established order. Humanity in its just sense is in maintaining the constitution of our allegiance. This shall be my test and not M. Renan's and his solidarity.

"The gentleman from Michigan thinks this is a humane measure. He goes so far as to say that he would follow by his vote for money the little rills that are the feeders of the large streams, and would vote appropriations also for those large streams. He illustrates his idea by our mail system. As our mails carry peace and joy and love far up into the hills and make their habitations endurable, so he would carry the largesses of the nation in the improvement of the little rills. This is very beautiful. I would like to follow him with his messages of peace and love and joy. But I do not want to pay so much for it. I want to pay money out of the Treasury in a proper way, according to the needs of the Federal system, as established by the Constitution, and for Federal commerce under that Constitution."

CONTESTED ELECTION CASES.

Another illustration of the rapid strides toward centralization may be found in the history of the contested election cases. The Republican party are not content to leave the people of the respective congressional districts and the local courts to pass upon their local affairs, but substitute therefor, as a supreme tribunal, a party caucus conducted in secret-star-chamber style at the seat of the Federal Government. This dictatorial and imperial policy of depriving the people of their lawful rights of representation is one of the blackest spots upon the record of the present Congress.

When it became known that a majority of the members elected to the Forty-seventh Congress belonged to the Republican party, there was great rejoicing among many candidates of that political faith who had been defeated at the polls, and they straightway began to look around for cause for contesting the seats of the members who held the certificate of election in the hope that if they were not admitted to the House of Representatives they would, at least, be allowed a large sum of money for their expenses during the contests. For this reason a remarkably large number of election cases were presented to the present Congress, most of them from the South. The basis of most all was that there was numerically a larger number of negro voters in the disputed districts than white, and the argument was that if the negroes had not voted for the Republican candidates they should have done so, unmindful of the fact that the negroes of the South are yearly becoming more educated and prosperous. Those owning property are intelligent enough to compare the tax rate under Republican rule with the tax rate under Democratic rule, and to draw the obvious conclusion that it is to their interest to vote for Democratic officials because they secure good government and low taxes.

On the other hand it was to the interest of the Republicans in the House to seat as many of these contestants as they could possibly do for two reasons: First, they were aware that the intelligent voters of the North were thoroughly disgusted with their party for its failure to treat any of the great living questions of the day, or to show any reason why it was worthy of continuance in office. The loss of numerous representatives from that section in the election of 1882, could not be avoided; to maintain control of the House the losses must be offset by gains from the South, and this could only be done by stimulating the Republicans of the South to perfect their organization. It was thought that the admission of the contestants would have this effect, and put the party in good shape for the approaching campaign.

The second reason was equally potent. Without a quorum of Republican members no legislation to which the Democrats objected could be passed. With the narrow majority at the organization of the House it was difficult, if not impossible, continually to hold a quorum of their own members in Washington, and the danger was that their schemes of jobbery would be defeated. Turn out Democrats, and put in Republicans and the danger would be removed. Acting on this principle the contested election cases of Lynch *vs.* Chalmers, Mackey *vs.* O'Connor, Bisbee *vs.* Finley, Wheeler *vs.* Lowe, Smalls *vs.* Tillman, and Smith *vs.* Shelley, were forced to a vote in the House, and the contestee in each case ejected.

The Committee on Elections was organized to carry out the policy of the party as above stated, and to make sure of a majority report in favor of the Republican contestants, ten of the fifteen members were selected from those who had voted for the election of the Republican candidate for Speaker.

LYNCH *vs.* CHALMERS.

The House decided that the Hon. Jno. R. Lynch was duly elected from the Sixth District of Mississippi in place of Hon. Jas. R. Chalmers, basing their action upon the report of the majority of the Committee on Elections, which declared that contestant had a majority of 385 votes. This report at least dissipated the wild claims that Lynch's majority was 17,000.

The contestant did not make a single intimation that any voter had been prevented from depositing his ballot by violence or force. The greatest friendliness at the polls is admitted by the Republicans to have existed.

The majority of the committee added up to a certain point the votes originally claimed for Lynch and those for Chalmers, together with certain other votes which they declared ought to be received. The result of this tabulation was that Lynch had 9,545 and Chalmers 9,540 votes. It looked as if the majority of the committee intended to rest there. But as a margin of five votes was too narrow, they looked about for some way to increase the vote of Lynch and to reduce that of Chalmers. To this end they decided that it was conclusively shown by the testimony of certain persons that 350 votes were cast at Kingston precinct in Adams County. One of these witnesses stated that 250 or 260 Republican votes were cast, his knowledge being gained by *the difference in the size of the rolls* when the tickets were folded, the Democratic tickets being a *half an inch* longer than the Republican. The next witness testified that he kept a tally sheet and saw and read the name of Lynch on 160 ballots. The other testimony was substantially the same, all the witnesses depending upon what the voters said to account for the lacking 90 or 100 votes. Yet the committee decided that the proof was *conclusive* that 350 votes were cast.

To accomplish even this reduction of the proper majority for Chalmers, the votes claimed by contestant at Australia and Bolivar precincts in Bolivar County were counted. In these precincts 503 Republican and 112 Democratic ballots were rejected by the commissioners of election, as there was no legal evidence that the ballots returned in these boxes were ever cast by voters. The law of Mississippi expressly requires the certificate of the inspectors to accompany the returns, and without this certificate the commissioners, who know nothing of their own knowledge as to the election, can certainly make no statement of the votes that would import verity to the result. The House decided that all the re-

jected votes should be given to Lynch, with no evidence that they were good and valid, except the statement of the commissioners as to the number of votes rejected, and for whom they purported to be cast. The action of the commissioners was in strict pursuance of a clear, unmistakable law of the State.

In Warren County 2,029 Republican and 20 Democratic votes were rejected for the reason that they bore marks by which they were distinguishable from the others, and were otherwise in direct variance with the law of the State. The Republicans allege that these marks were "mere printer's ornamentation;" but the law does not make an exception in favor of "printer's ornamentation" over any other marks. The following is the section bearing on this point:

"SEC. 137. All ballots shall be written or printed in black ink, with a space not less than one-fifth of an inch between each name, on plain white printing newspaper, not more than two and one-half, nor less than two and one-fourth, inches wide, without any device or mark by which one ticket may be known or distinguished from another, except the words at the head of the ticket; but this shall not prohibit the erasure, correction, or insertion of any name by pencil mark or ink upon the face of the ballot; and a ticket different from that herein prescribed shall not be received or counted."

The contestant went before Judge Campbell, of the Supreme Court of Mississippi, seeking to enjoin the Secretary of State from declaring contestee elected, on the ground that the deductions made from his vote were unlawful. Judge Campbell declined to grant the injunction, because he had no authority to interfere with the performance by an executive officer of a duty prescribed by law.

An appeal was taken to the Supreme Court of the State, and an elaborate decision was rendered declaring the rejection of these ballots absolutely demanded by the law. The court stated that the object of the provision was to preserve secrecy as to what ballot an elector casts, and to secure absolute uniformity as to the appearance of the ballots, in order that intelligence might guide the electors in their selection; and not a mere device by which ignorance might be captivated. It aimed to put a stop to multitudes "being voted," and being guided by a device or mark without a knowledge of the names of persons for whom their ballots were being cast.

The majority declared that this court had no jurisdiction. Want of jurisdiction might result, first, from general lack of power to adjudicate any question, as where the pretended judges have never been elected or qualified; second, where the court has acquired no jurisdiction of the persons of the parties; third, where it has no jurisdiction of the subject-matter of the action. It is not claimed that the Supreme Court of Mississippi was not a properly constituted tribunal, nor is any question made touching its jurisdiction over the parties, but that it has no jurisdiction to decide what were and what were not legal ballots. To determine this, let us look at the questions presented and how they were presented. A new election law has been enacted in Mississippi, and the first election held under it. It required marked ballots to be rejected, and they had been by the commissioners of Warren County. These commissioners had been arrested and tried as criminals in the United States court for obeying what they conceived to be the plain language of the law in the discharge of their duty. There was great doubt in the public mind as to what the law meant by marked ballots, and as to who should reject them.

Other commissioners were arrested and threatened with prosecution for their

acts in discharge of what they conceived to be their duty under this new election law. The public was greatly excited over these prosecutions, and citizens were saying they would not act as commissioners of election if they were to be prosecuted in the United States courts for exercising their discretion in deciding on their duty.

This decision had precedents innumerable. Precisely the same doctrine is contained in the decisions of Chief Justice Tighlman, and Justices Yeates and Gibson, in Pennsylvania, of the courts of Oregon, Alabama, Massachusetts, Indiana, etc., and in the opinion of Judge McCrary in his American Laws of Elections.

If any rule of law can ever be regarded as settled, certainly the rule that Federal authorities would follow the construction of State statutes by State courts must be settled by a long line of able and unbroken decisions.

The Supreme Court of the United States says in case of *Green* vs. *Neal:*

"The decision of this question by the highest tribunal of a State should be considered as final by this court, not because the State tribunal, in such a case, has any power to bind this court, but because a fixed and received construction by a State in its own court makes it part of the State law."

This rule was first established in the Forty second Congress in what is called the Tennessee cases. when the report was made by the Hon. G. W. McCrary:

"In a report from the Committee on Elections, adopted by this House April 11, 1871, in the matter of the Tennessee election (Digest of Election Cases, compiled by J. M. Smith, p. 1), the committee say:

"It is a well-established and most salutary rule that where the proper authorities of the State government have given a construction to their own constitution or statutes, that construction will be followed by the Federal authorities. This rule is absolutely necessary to the harmonious working of our complex government, State and National, and your committee are not disposed to be the first to depart from it."

Again, the case of Boynton *vs.* Loring, the report, which was prepared by Mr. Calkins, and signed by every member of the committee except Mr. Weaver, contains this clear and explicit announcement of the doctrine we contend for. He says:

"But it is not necessary for us to decide this question, and we do not, much preferring that the courts of Massachusetts shall first construe their own statutes, and when they have undergone judicial construction we would follow the decisions of the courts of that State."

The Committee on Elections is as much a continuing body in contemplation of law as a court, and should have as much respect for its own rulings as a court has for its decisions, and "stare decisis" should be our rule. Under the rule that Federal authorities follow the construction given by State authorities to their own statutes, two Tennessee Republicans were seated in the Forty-second Congress, Shanks, a Republican, was seated in the Forty-third Congress, Yocum, a Greenbacker, Bisbee from Florida, and three Republicans from Iowa, were seated in the Forty-sixth Congress. To undertake now to change this rule or limit it to a rule of propriety, may subject us to the same severe rebuke for oscillation administered to a State court by the Supreme Court of the United States. To say in one Congress we will follow the decision of the supreme court of Mas-

sachusetts in construing its statute when made, and in the next Congress refuse to extend the same rule to the supreme court of Mississippi, is glaring inconsistency or invidious distinction between States.

General Chalmers has been for many years an object of denunciation by the Republican press which accused him of responsibility for the Fort Pillow massacre during the war, and of innumerable crimes of violence and intimidation of the freedmen since. Disappointed that the Democratic members did not fillibuster against his ejection from the House, he has left the Democratic party, carpet-bagged to another district, and announced himself a candidate for Congress, and having tied himself to the administration, which he lately opposed, through the corrupting influence of the money gathered by Hubbell's committee from employes of the Government, hopes to come back to Congress as a representative of the Republican party, of which he will be a fit member, if the means he has adopted to secure his election succeed in returning him to Congress.

This has been made a celebrated case by Republican campaign orators who have held General Chalmers up before the eyes of the North as the embodiment of all that was wicked—the most prominent bull-dozer of the century. They have pointed to the large majority of negro voters in the district as conclusive proof that it is Republican by many thousand majority, and yet on the report of the committee of their own party they claim the election of Lynch by only 385 votes. As to the charge of intimidation, hear what Mr. Lynch, the contestant, had to say:

"I deny that race prejudice has any thing to do with fraud and violence at elections in the Southern States. There is not half as much race feeling at the South as many of the Bourbon leaders of that section would have the country believe. The antagonisms that exist there to-day are not based on antipathies of race, but they are based on antipathies of parties. The race feeling was strong shortly after the war, but it has now very nearly died out. Colored men are not now persecuted in the section from which I come on account of their color. * * * The opposition to me as the candidate of the Republican party for Congress was no more intense than it would have been had the Republicans nominated an aristocrat of the *ante bellum* period who fought on the side of the confederacy during the late war. The barrier to my success was not due to my color; it was due to my politics.

"Bruce, Douglass, Langston, or any other reputable colored man, as the candidate of the Republican party for the Presidency in 1880, would have come just as near carrying Mississippi as did General Garfield."

MACKEY *vs* O CONNOR.

The circumstances of this case were novel. M. P. O'Connor and E. W. M. Mackey were opposing candidates for Congress in the Second District of South Carolina. The vote, as compiled by the State Board of Canvassers was as follows :

	M. P. O'Connor.	E. W. M. Mackey.
Charleston	11,429	8,112
Orangeburg	3,627	2,112
Clarendon	2,513	1,473
Total	17,569	12,297
	12,297	
Majority for O'Connor	5,272	

Mr. O'Connor was declared elected. Mr. Mackey contested the election. Mr. O'Connor died before the taking of the testimony was completed. The Governor of the State, in accordance with the provision of the Constitution, issued a call for a new election to fill the vacancy, and Samuel Dibble was elected. Mackey served no notice of contest on Dibble, and he was in no sense a party to the contest between Mackey and O'Connor.

THE LAW AS TO DIBBLE.

On December 5, 1881, the House met, and Mr. Dibble, on the call of the roll, presented himself to be sworn. Objection was made by a member, who stated to the House the general circumstances of the case, and after calling the attention of the House to the fact that Mr. Mackey had served no notice of contest upon Mr. Dibble, offered the following resolution, viz :

"*Resolved*, That the certificate of election presented by the Hon. Samuel Dibble, together with the memorial and protest and all other papers and testimony taken in the case of the contest of E W. M. Mackey *vs.* M. P. O'Connor, now on file with the Clerk of this House, be, and the same are hereby, referred to the Committee on Elections when appointed, with instructions to report at as early a day as practicable whether any vacancy, as alleged in the certificate, existed, and as to the *prima facia* right or the final right of said claimants to the seat as the committee shall deem proper, and neither claimant shall be sworn in until the committee report."

Whereupon the House, after discussion, laid the resolution on the table ; and also laid on the table a motion to reconsider its vote thereon.

Mr. Dibble then presented himself at the bar of the House, and was sworn, without further objection, and from that time until December 21, 1881, occupied his seat as a member of the House without challenge or dispute.

Let us apply to these facts the principles of statute and parliamentary law which appear to us to be applicable thereto. And in this connection let us cite from our own recognized parliamentary compilation as to the effect of the motion to reconsider and lay on the table. Smith's Digest, page 292, concerning the motion "to lay on the table," contains this language :

"In the House of Representatives it it usually made for the purpose of giving a proposition or bill its "death-blow ;" and when it prevails the measure is rarely ever taken up again during the session. If the motion to "reconsider and lie" follow this motion, and be carried, it can only be taken from the table by the unanimous consent of the House."

And again (*Ibid.*, p. 293):

"If a motion to reconsider be laid on the table, the latter vote cannot be reconsidered." (Journals 3, 27, p, 334; 1, 33, p. 357.)

Mr. Cushing, in his "Law and Practice of Legislative Assemblies, after showing the distinction between the English and American laws on the subject of legislative vacancies, proceeds as follows :

"If it [*i. e.*, a vacancy] occurs before the sitting or in a recess, and the new election takes place without the previous authority of the assembly, the existence of a vacancy must be determined upon when the member elected presents himself to take his seat."

In the history of vacancies in Congress, there is one case which, in many respects, resembles the present. In May, 1867, George D. Blakey and Elijah Hise were opposing candidates for Congress in the third Congressional district of Kentucky, and four days after the election Mr. Hise died. Mr. Blakey appeared be-

fore the State canvassing board, and claimed to have been elected. The board decided that Mr. Hise had been elected. Congress assembled thereafter on July 3, 1867; and on July 5, 1867, a memorial of Mr. Blakey was presented to the House, asking admission as a member from the said Congressional district, and the memorial and accompanying papers were referred to the Committee on Elections, who were instructed by the House, July 11, 1867, in relation to taking evidence in regard to the same.

On July 20, 1867, Congress adjourned until November 21, 1867. During this interval, and while the Committee on Elections had under consideration the claim of Mr. Blakey to the seat, a special election was held in the third Congressional district of Kentucky, under writs of election issued by the Governor of Kentucky, to fill the vacancy occasioned by the death of Mr. Hise; and at such special election, held August 5, 1867, Mr. Golladay was elected, and on November, 25, 1867, presented his credentials to the House.

An extended discussion followed. The distinguished chairman of the Committee on Elections, Mr. Dawes, after conceding the ordinary rule to be, that charges touching "the legality of an election are matters which pertain to a contest in the ordinary way, and should not prevent a person holding the regular certificate from holding the seat," said:

"I do not see how it is possible to apply the rules laid down there to this case, without foreclosing Mr. Blakey from any further investigation of the question of a vacancy existing at that time." (Cong. Globe, 1, 40, p. 783.)

Other members of the House took the position that Mr. Golladay should be seated *prima facie*, and that Mr. Blakey should be allowed to contest with him the right to his seat.

The House adopted the view of Mr. Dawes, and instead of allowing Mr. Golladay to be sworn; referred his credentials to the Committee on Elections. Eight days afterwards Mr. Dawes presented the unanimous report of the Committee on Elections declaring that Mr. Golladay was entitled to the seat.

"What principles are involved in this decision? The main doctrine is, that the right and duty of the executive of a State to issue writs of election to fill vacancies in the House, derived from article 1, section 2, of the Constitution of the United States, in advance of any adjudication by Congress on the question of vacancy occasioned by death, is to be exercised in contested cases as well as in ordinary cases, thus applying to such cases the same principles so early settled in the cases of Edwards (Clark & Hall, 92,) Hoge (Clark & Hall, 136,) and Mercer (Clark & Hall, 44.) And while as to the matter of practice in the case of Golladay, there was a difference of opinion as to whether the credentials ought to be referred to the Committee on Elections, in order to determine finally as to the existence of a vacancy before seating Mr. Golladay, who held the certificate, or whether Mr. Golladay should be sworn, and the right reserved to Mr. Blakey to contest his seat, there was no dissent from the proposition of Mr. Dawes, that if Mr. Golladay were sworn in without such reservation, Mr. Blakey would be foreclosed "from any further investigation of the question of a vacancy existing at that time."

"Now, in the present case, not only was there no reservation of the right to contest Mr. Dibble's seat when he was sworn in, but the House, by a very decided vote, tabled a motion to refer the credentials of Mr. Dibble and the papers in Mackey *vs.* O'Connor to the Committee on Elections, and tabled a motion to reconsider its vote thereon.

"*We do not mean to say, nor have we ever understood Mr. Dibble to contend, that it is beyond the power of the House to make inquiry into his right to his seat by such means as it may see fit to adopt, in an investigation de novo. Such an investigation*

would give to the sitting member the opportunity, which he has never enjoyed, of defending his seat by pleadings of his own, and such proofs as he may be disposed to offer in his cause. It must be borne in mind, that by the action of the House itself, Mr. Dibble was placed in full possession and enjoyment of the office of member, on December 5, 1881. This possession was clear from any qualification, reservation, or condition ; it was as absolute as the possession of any member on the floor. Can it be said a contest was pending in the case of Mackey *vs.* O'Connor? The answer is, that the House had decisively given 'its death-blow' to the motion to make Mr. Dibble a party to that contest before he was sworn in." (From the report of the minority of the Committee on Elections.)

FORGERY.

With that dextrous genius for which the Committee on Elections should have immortal fame, the report of the majority of the committee on page 11, gives the majority for Mackey as 879, on page 17 of the same report it is given as 9,278. Either one would justify the conclusion that Mackey was entitled to his seat ; but on which number did the House base its vote? The testimony on which the results above given were based, were pro ven to have been mutilated, and when the case was called up in the House the Democrats availing themselves of the rights accorded them by the rules filibustered to compel an investigation of the charges of fraud. The rev olutionary methods by which the rights of the minority were overriden, and an end put to filibustering, have become part of the history of the country, and are referred to in fitting terms elsewhere. During the filibustering a proposition was offered by the Democrats that a special committee should be appointed to investigate the alterations, mutilations, erasures, and insertions in the testimony. This fair proposition was indignantly rejected by the Republicans. When the case came up, Mr. Randall, (Democrat,) submitted the following resolution:

Resolved, That the report in the case pending be recommitted to the Committee on Elections with instructions to inquire into the authenticity and integrity of all depositions, returns, and of evidence of whatever character produced in the case of Mackey *vs.* O'Connor, and inquire into all alterations, destruction, loss, or mutilations of the original notes of the same, or of any transcript of such notes; and when, where, or by whom such alterations, destructions, loss, or mutilations were made or caused to be made.

Resolved, That said committee shall have authority to visit such pla ces and compel the production of such persons and papers as may be necessary to carry out the purpose of their appointment, and may sit during the sessions of the House.

The question was taken; and there were—yeas 97, nays 139, as follows:

YEAS—97,

*Armfield,	*Culberson,	*King,	*Simonton,
*Atherton,	*Davidson,	*Klotz,	*Singleton, Jas. W.
*Atkins,	*Davis, Lowndes H.	*Knott,	*Sparks,
*Beltzhoover,	*Deuster,	*Ladd,	*Speer,
*Berry,	*Dowd,	*Latham,	*Springer,
*Blackburn,	*Ermentrout,	*Le Fevre,	*Stockslager,
*Blanchard,	*Evins,	*Manning,	*Talbott,
*Bliss,	*Finley,	*Martin,	*Tillman,
*Blount,	*Forney,	*McKenzie,	*Tucker,
*Buchanan,	*Frost,	*McLane,	*Turner, Henry G.
*Cabell,	*Fulkerson,	*McMillan,	*Turner, Oscar
*Caldwell,	*Geddes,	*Mills,	*Upson,
*Cassidy,	*Gunter,	*Money,	*Vance,
*Chapman,	*Hardenburgh,	*Morrison,	*Warner,
*Clardy,	*Harris, Henry S.	*Mosgrove,	*Wellborn,
*Clark,	*Hatch,	*Moulton,	*Wheeler,
*Clements,	*Herbert,	*Muldrow,	*Whitthorne,
*Cobb	*Herndon,	*Mutchler,	*Williams, Thomas
*Colerick,	*Hewitt, G. W.	*Phister,	*Willis,
*Converse,	*Hoblitzell,	*Randall,	*Wilson,
*Cook,	*Hoge,	*Reagan,	*Wise, George D.
*Cox, Samuel S.	*Holman,	*Richardson, John S.	*Wise, Morgan R.
*Cox, William R.	*Hooker,	*Robertson,	
*Covington,	*House,	*Robinson, Wm. E.	
*Cravens,	*Kenna,	*Scales,	

NAYS—139.

Aldrich,	Farwell, Sewell S.	McClure,	Ryan,
Anderson,	FORD,	McCoid,	Scranton,
Barr,	George,	McCook,	Shallenberger,
Bayne,	Godshalk,	McKinley,	Sherwin,
Belford,	Grout,	Miles,	Shultz,
Bingham,	Guenther,	Miller,	Skinner,
Bowman,	Hall,	Moore,	Smith, A. Herr
Brewer,	Hammond, John	Morey,	Smith, Dietrich C.
Briggs,	Harmer,	Morse,	SMITH, J. HYATT, Ind.
Browne,	Harris, Benj. W.	Neal,	Spaulding,
Buck,	HASELTINE,	Norcross,	Spooner,
Burrows, Julius C.	Hazelton,	O'Neill,	Steele,
BURROWS, Jos. H.	Heilman,	Orth,	Stone,
Butterworth,	Henderson,	Pacheco,	Strait,
Calkins,	Hepburn,	Page,	Taylor,
Camp,	Hill,	Parker,	Thomas,
Campbell,	Hiscock,	Paul, (Reaj.)	Thompson, Wm. G.
Cannon,	Horr,	Payson,	Townsend, Amos
Carpenter,	Houk,	Peelle,	Tyler,
Caswell,	Hubbell,	Pierce,	Updegraff, J. T.
Chace,	Hubbs,	Pettibone,	Updegraff, Thomas
Cornell,	Humphrey,	Pound,	Urner,
Crapo,	Jacobs,	Prescott,	Van Horn,
Crowley,	Jadwin,	Ranney,	Van Voorhis,
Cullen,	JONES, GEORGE W.	Ray,	Wadsworth,
Cutts,	Jones, Phineas	Reed,	Wait,
Darrall,	Joyce,	Rice, John B.	Walker,
Davis, George R.	Kasson,	RICE, THERON M.	Ward,
Deering,	Kelly,	Rice, Wm. W.	Watson,
De Motte,	Lacey,	Rich,	Webber,
Dingley,	Lewis,	Richardson, D. P.	West,
Dunnell,	Lord,	Ritchie,	Williams, Chas. G.
Dwight,	Lynch,	Robeson,	Willits,
Errett,	Marsh,	Robinson, Jas. S.	Wood, Walter A.
Farwell, Chas, B.	Mason,	Russell,	

Not one Republican was willing to have an investigation.

Hon. Lowndes H. Davis, (Dem.,) of Mo., ably presents the real point at issue in the following remarks:

"Mr. SPEAKER: I hope that I will have the attention of the House. I must say that the gentleman from Pennsylvania [Mr. MILLER] has presented his case in as fair a way from his stand-point as could be expected. But, according to my view of the case, he overlooks the real fact, the real issue in it.

"I think that this case is one of more importance and deserves more attention than has been given to it heretofore, because by the decision of this case we establish a precedent, and the question is whether we are willing in the future to abide by the precedent which we are now about to establish.

"The gentleman from Pennsylvania has said much about the evidence as to what votes were cast and what votes were not cast, and as to frauds in this election. With those questions I have nothing to do. I shall limit myself to the consideration of but one question, and that is the integrity of what purports to be the testimony in the contested-election case of Mackey *vs.* O'Connor. To that one proposition I will address all my remarks, as I honestly and candidly believe that that testimony is not entitled to credit in this House, as I know it would not be entitled to credit in any court in this land.

"To this end I ask the Clerk to read an affidavit which I send to the desk, and I request the Clerk to read it slowly, distinctly, and clearly.

"The Clerk read as follows:

AFFIDAVIT OF E. H. HOGARTH, ESQ.

THE STATE OF GEORGIA,
Richmond County:

Personally appeared before me, a notary public in and for the county of Richmond, E. H. Hogarth, who, being sworn, says: That he was a resident of the city of Charleston, State of South Carolina, during the year 1881, up to the 30th of September; that deponent held the office of notary public during said time, and was a stenographer by profession; that he was employed by E. W. M. Mackey, esq., as stenographer and notary public in the contest between E. W. M. Mackey and M. P. O'Connor for a seat in the Forty-seventh Congress of the United States, and that deponent acted as stenographer, and sometimes notary public in Orangeburgh County, in behalf of the Hon. M. P. O'Connor; that deponent took the testimony on the part of E. W. M. Mackey, esq., in the counties of Charleston, Orangeburgh, and

Clarendon, with the exception of one or two depositions; that all of the testimony so taken by deponent as stenographer was transcribed from his stenographic notes in deponent's own handwriting, and testimony taken on behalf of E. W. M. Mackey, esq., was turned over to him in deponent's own handwriting, and such taken on behalf of the Hon. M. P. O'Connor was turned over in deponent's own handwriting to Robert Chisolm, jr., esq.

This ended his (deponent's) connection with said testimony, exeept that afterward at various times he (deponent) signed certificates whieh were tendered to deponent by E. W. M. Mackey, esq., and also jurats at the foot of depositions. These deponent signed without comparison with his said stenographie notes, taking it for granted that said testimony was the same as furnished by deponent to said E. W. M. Mackey, esq. That the said certificates were often presented to deponent for signature by E. W. M. Maekey, esq., when deponent was otherwise employed, and that deponent did not have his stenographic notes at hand when he so eertified said testimony. That deponent also eertified the testimony taken on behalf of Hon. M. P. O'Connor in instanees where deponent aeted as notary public. That deponent did not forward any of said testimony to the Clerk of the House of Representatives, but turned same over to the respeetive parties named above; and deponent knows nothing of his personal knowledge concerning the forwarding of the same.

E. H. HOGARTH.

Sworn to and subseribed before me this 17th day of February, 1882.

[SEAL.] WM. W. MILLER,
Notary Public, Richmond County, Georgia.

"Mr. DAVIS, of Missouri. From this affidavit it will appear, first, that E. H. Hogarth was employed as a notary public and stenographer by Mr. Mackey in the contested-eleetion case of Mackey *vs.* O'Connor. In the second place, he transcribed all the testimony taken on the part of Mackey in his own handwriting. Third, he turned over all the testimony so transcribed to Mackey himself. Fourth, this ended his connection with this testimony, except that at various times afterward he signed certificates handed to him by Mackey, and jurats at the end of depositions, without comparing the depositions with his original stenographic notes, taking it for granted that the testimony he so signed was the same that he had furnished Mackey. Fifth, that this man Hogarth did not forward this testimony, or any part of it, to the Clerk of the House of Representatives as required by law.

"In a word, this man Hogarth did not know that the testimony sent was the testimony taken in the contested-election case of Mackey *vs.* O'Connor. He did not know what he was certifying to, because he swears that he did not compare it with his shorthand notes but took it for granted that it was the same testimony he had furnished to Mackey.

"Mr. DIBBLE. Has that affidavit been controverted?

"Mr. DAVIS, of Missouri. That affidavit is not controverted. Now I say that the facts sworn to by this notary public in this affidavit are sufficient of themselves to cause the suppression of the depositions in this case, and we need offer no other facts or circumstances.

"Mr. ROBERTSON. How did the testimony taken by Hogarth as the notary come to be sent to the Clerk of the House of Representatives? You state that he did not send it.

"Mr. DAVIS, of Missouri. I will come to that afterward; one point at a time. I say that these facts alone which are contained in this affidavit of Hogarth are sufficient to suppress these depositions in any court in this land, and they ought not to be suffered to be used in the trial of as important a case as one involving a seat in this House.

"Therefore I said in my opening remarks that this was an important matter, and that the gentleman from Pennsylvania had overlooked the real issue in this case.

"But this is not all of this case. The next affidavit to which I would call the attention of the House is that of C. Smith:

AFFIDAVIT OF C. SMITH.

STATE OF SOUTH CAROLINA,
Charleston County:

Before me personally eame C. Smith, in response to a summons to testify as to certain matters in a contest entitled E. W. M. Maekey *vs.* M. P. O'Connor, and who, being duly sworn, says: I was employed by E. W. M. Mackey to write out the testimony taken in his behalf in the contest between himself and Mr. O'Connor for a seat in the Forty-seventh Congress; this writing was done at the home of Colonel Mackey, the United States courthouse, and at my room. The body of testimony was in the handwriting of E. H. Hogarth, stenographer and notary public, and there were interlineations, erasures, and portions of the original sheets were cut out and other sheets substituted, and sometimes left out entirely; that sometimes nearly a whole page was struck out by drawing a line across it; that the interlineations were in the handwriting of E. W. M. Mackey; that the copy made by me omitted the erasures and inserted the interlineations; that sometimes whole pages of this

testimony in the handwriting of Colonel E. W. M. Mackey would be inserted, and of which there was no original in the handwriting of Mr. Hogarth, the notary public, that I saw; that sometimes when I returned the originals and my copy of the same, Colonel Mackey destroyed the originals by placing them in a stove, or destroying them by tearing them up; that in some instances the copy made by me was returned interlined and I made fresh copy with such corrections.

The interlineations last mentioned were also in the handwriting of Colonel E. W. M. Mackey; that the notary public, Mr. Hogarth, placed his seal and signature to the testimony as it was handed to him, without making any comparison with the originals, as in many instances, as before stated, the originals had been destroyed, and also without making any comparison with his short-hand notes; that is, in every case in which I was present my impression is that I saw him sign nearly all of the testimony, certainly more than half of it; that in the case of W. A. Zimmerman the testimony as copied by this deponent was submitted to him for his signature; that he declined to sign the same until certain corrections were made in it; that the testimony as submitted was not correct, and that unless the corrections were made he would not sign the same; that this testimony of Zimmerman's I returned to Mr. Mackey, and I never recopied it, and it was not signed by Mr. Zimmerman when I returned it to Mr. Mackey; that in the case of Major T. A. Haguenin the testimony as copied by me was handed to him; he glanced over it and said, "I suppose it is all right," and signed it; that I may have submitted other testimony, but cannot now recall the other cases where I submitted them for signatures; that Mr. Hogarth in certifying these papers would certify a number of them at one time and without comparison, as aforesaid; that I took a number of packages of the testimony to the express office and shipped them, in the name of Mr. Hogarth, to the Clerk of the House of Representatives; that the statements herein apply only to the testimony taken in Mr. Mackey's behalf; I know nothing about the testimony taken for Mr. O'Connor; that from the early part of January, 1881, and off and on during the summer months, and nearly up to the time that the last package of Mr. Mackey's testimony was sent off, I was copying; that the packages hereinbefore mentioned as shipped by me were given to me by E. W. M. Mackey, and I handed to him the receipt for the same, the said receipt being in the name of E. H. Hogarth.

C. SMITH.

Sworn to before me this 16th day of February, 1882.
[SEAL.]

H. L. P. BOLGER,
Notary Public.

"From this affidavit it appears that this man C. Smith was employed by Mackey to rewrite the testimony in the contested-election case of Mackey *vs.* Dibble; that this rewriting was done at the United States court-room, at Mackey's house, and at Smith's house; that the body of the testimony to be rewritten was in the handwriting of Hogarth, the notary public; that there were erasures and interlineations in such testimony; that these interlineations were in the handwriting of Mackey; that sometimes whole pages were stricken out by drawing a line over them; that sometimes whole pages were inserted to which there was nothing corresponding in the original; that Smith in recopying this testimony omitted the portions erased and inserted the interlineations; that when the copies and the originals were returned to Mackey, he destroyed the originals by putting them in a stove or by tearing them up; that sometimes Smith's copies were returned to him with fresh interlineations, and he made fresh copies; that Smith took packages of this testimony to the express office and shipped them to the Clerk of the House of Representatives in the name of Hogarth, the notary public; that these packages were given to him by Mackey himself.

"Now, Mr. Speaker, the affidavit of this man C. Smith stands uncontradicted except by Mackey himself, who has made Smith his witness in this case; who employed him as his confidential friend to rewrite this testimony; so that it does not become Mackey to attack the credibility of this witness.

"But it has been said, I understand, through the newspapers, and attempted to be charged on this floor, that this man C. Smith took a bribe of $1000 for his vote while a member of the South Carolina Legislature. Why, sir, that only aggravates the matter, in my mind. Here is a man, the contestant in this case, who in open violation of the law has the testimony in his case in his possession and who employs to rewrite that testimony a man who it is claimed ought to be in the penitentiary of South Carolina, if there is any such institution there.

"Mr. RANNEY. And on his affidavit you base your whole case.

"Mr. DAVIS, of Missouri. No, sir.

"Mr. ATHERTON. He is Mackey's confederate, at any rate.

"Mr. DAVIS, of Missouri. But I will tell the gentleman from Massachusetts that this is not all. This man Smith stands corroborated by Hogarth himself—in what? That he turned this testimony over to Mackey.

"Mr. RANNEY. Hogarth said it was sent back to him and he compared it.

"Mr. DAVIS, of Missouri. I will come to that; one point at a time. I say that Smith is corroborated by Hogarth in the fact that Hogarth swears he turned this testimony over to Mackey. He is corroborated by Hogarth in the fact that

Hogarth did not send one line or one word of this testimony to the House of Representatives as required by the statutes of the United States.

"Mr. RANNEY. I do not wish to interrupt the gentleman, but it appears that this notary compared the depositions—

"Mr. DAVIS, of Missouri. I will come to that. I say that Smith is corroborated by Mackey, in the fact that he was employed by Mackey as his confidential friend to rewrite this testimony; that in the next place he did rewrite it under the direction of Mackey; and in the next place it was not forwarded to the Clerk of the House of Representatives by the notary, but by this man Smith. But more than that—Smith is corroborated by the fact that he was in a position to know the facts to which he swears when no other man except him and Mackey were in such a position to know them; and, above all, he is corroborated by the profound silence that reigned for more than a year over this innocent job of recopying this testimony. For thirteen months this innocent job of recopying this testimony remained a profound secret; and it was never discovered except by accident. It was never discovered until the manuscript was in the hands of the Public Printer in the city of Washington.

"I say that this man Smith is corroborated by the further fact that not one word of the testimony on file in this House is in the handwriting of Hogarth, the notary. Hogarth swears that he transcribed this testimony in his own handwriting, yet not one line or one word of the testimony on the part of Mr. Mackey in the handwriting of Hogarth is on file in this House, or ever has been.

"Is not that a fact that the testimony as transcribed by Hogarth is not on file in this House and never has been? No man will dispute that fact.

"Now, I will leave this man C. Smith. I do not rely on Smith's affidavit. We will take the other side, and I hope some member of the sub-committee, if I do not state their position just exactly as it is, will correct me, for honestly I do not want to make other than a fair, straightforward, true statement of this case.

"The way I look at it, Mr. Speaker, is this: that there is no necessity for exaggeration; that the facts are of themselves entirely sufficient, and that all we need to do is to look at the facts in the case just as they are, and ask ourselves the question, is this thing innocent, is this job of recopying the testimony an innocent thing?

"Now, in contradiction of these affidavits, which I have referred to, and one of which I have had read, Mr. Mackey files counter affidavits. What are they? First, he presents seventy-six affidavits of seventy-six men who swear they were witnesses in the contested-election case of Mackey *vs.* O'Connor, and each one of these fellows swears he has read the testimony as printed in the document of the House, and that it is correct 'in every particular.'

"I wish especially to call attention to that expression, as did the gentleman from Pennsylvania [Mr. MILLER], that 'it was correct in every particular.'

"Not only do the seventy-six men swear to this, but each one of the seventy-six swears 'he is sure that there has been no garbling, no interlineations in and no additions to his deposition.' I will have the Clerk read one of these as a sample."

The Clerk read as follows:

"AFFIDAVIT OF G. H. F. GRAHAM.

'STATE OF SOUTH CAROLINA,
"*Charleston County:*

"Personally appeared G. H. F. Graham, who, being duly sworn, says that he has carefully read in the volume of the printed testimony in the case of Mackey *vs.* O'Conner (pages 175 to 180) the deposition made in that cause by deponent, and that the said deposition is in every particular the deposition made by deponent before E. H. Hogarth, notary public, on the 1st day of February, A. D. 1881, and taken by the said Hogarth in short-hand; that after said deposition was written out, deponent read the same and subscribed to it before the said E. H. Hogarth; that deponent is sure that there has been no garbling of, alteration in, or additions to the said deposition. Deponent further swears that the said deposition is true in every particular, and to the truthfulness of each and every statement contained therein deponent again makes oath.

"G. H. F. GRAHAM,"

"Mr. DAVIS, of Missouri. That, Mr. Speaker, is *verbatim et literatim* the affidavit of every one of these seventy-six men, with the exception of the testimony referred to and the dates. In other words, Mr. Speaker, these seventy-

six men make an affidavit that no seventy-six men in this House could be found to make. I do not believe, sir, there is one man in this House would make such an affidavit, or would be willing to swear that any statement made by him thirteen months before was absolutely correct in every particular."

And yet these seventy-six men made exactly the same stereotyped affidavit at different times, different places, under different circumstances, and before different notaries. Such is the testimony Mackey presents to bolster up his claims. The intelligence of these negro witnesses in South Carolina, who "remember in every particular" what they swore to thirteen months previous, is in striking contrast to that of the witnesses in the case of Bisbee *vs.* Finley, and of Lowe *vs.* Wheeler, who swore that they voted for Mr. Bisbee for President, Garfield for Congress, Lowe for President, and Garfield for Congress.

Notwithstanding Mr. Mackey's unlawful conduct, and his mutilations of the record, which are admitted by Mr. Ranney, (Republican,) but avoided on the ground that the alterations are not material, the solid vote of the Republican party was given for his admission to a seat in the House, and against every motion looking to an investigation. From remotest ages it has been a fundamental maxim of the law, that "no man can take advantage of his own wrong." The experience of centuries has demonstrated the wisdom of this maxim; but it has been brushed away by order of the Republican caucus, and henceforth the motto shall be "fraud vitiates nothing, forgery is commendable if of benefit to party."

BISBEE *vs.* FINLEY.

"This contest came from the second Congressional district of the State of Florida, which is composed of seventeen counties. The election was held on November 2, 1880, and the official returns filed in the office of the secretary of State show that Mr. Finley received 13,105 votes, and Mr. Bisbee received 11,953. The official majority received by Mr. Finley was therefore 1,152. On January 15, 1881, Mr. Bisbee served a notice on Mr. Finley, contesting his election and attacking the polls in all the counties of the district but one (Clay). On February 3, 1881, Mr. Finley served his answer on Mr. Bisbee, replying to and denying fully all his alleged grounds of contest. On the issues raised by the notice and answer, over 1,200 pages of testimony were taken.

"For convenience, and the ready and intelligent application of the law to this case as presented by the record, it is deemed necessary to state the principles involved in its determination.

"The constitutional and statutory provisions relating to suffrage may be divided into two classes: first, mandatory, which define the right of suffrage, and, secondly, directory, which direct the manner of its exercise. The former relate to the *substance* of the right; the latter to the *mode* of its exercise. The former confer the right; the latter are as so many safeguards to conserve it. The right is *derived* from the former and its exercise regulated by the latter. The former determine the *primal* and ultimate authority in the government; the latter serve as means to invoke and give force to it. The means being subordinate to the end, it follows that directory provisions, whether constitutional or statutory, must be liberally construed and so applied as to give legitimate force and efficacy to the *will* of the sovereign power in the State. A different rule would subordinate the substance to the shadow, and would in the end substitute technical quibbles for the ballots of the qualified electors. The primal inquiry is: Whom did the qualified electors *choose* as *evidenced* by their ballots cast or offered but refused? The ascertainment of the will of the qualified electors is the end of directory statutes, and this attained, 'the reason ceasing the law also ceases.'

"The House is the exclusive judge of the qualifications, elections and returns of its own members. In the exercise of this prerogative it is not bound by the

technical rules of judicial proceedure, not even by its own precedents. These may be persuasive, and in so far as they embody the *wisdom* of experience, enlighten the mind, and contribute to right conclusions. In the exercise of this attribute of sovereignty the House is charged in the ultimate with the maintenance of the right paramount and preservative of all other rights—the elective franchise. Therefore the House is absolutely untrammeled and answerable only to the sovereignty where this power emanates. The electors can and should accept no apology for any evasion or abuse. Every case should be decided upon its own merits, and the electors should accept no other conclusion than the *vindication in fact* of the right of representation. Technical quibbles should never be permitted to defeat honest ballots, for the plain reason that so long as the people have the power and do actually choose the law-makers they have it in their power to eliminate or amend whatever works injury to their rights or prosperity. And whatever affects seriously that right touches the vitals of the republic. We cannot, therefore be too cautious or circumspect in deciding a contest involving a seat in this House. And if we are wise and patriotic we *will* be aided by rules whose soundness has been attested by experience.

"The returned member, by the familiar rule, 'officers are presumed to have done their duty,' is supposed to have been duly elected. This presumption should be maintained unless repelled by conclusive evidence. If a return, local or general, be attacked for fraud or illegality, the testimony of officers holding the election is of great weight, because of opportunities to know and the motive of duty to observe all things relating to the election in their charge; and such is the weight of their evidence that it cannot be overthrown by circumstantial evidence unless so strong as to admit of no reasonable hypothesis compatible with the truthfulness and integrity of the officers." (From report of minority.)

The charges of the contestant were of fraud in nearly every district and county in the State. These wholesale allegations were supported by testimony, of which the following are fair samples:

W. M. Brown:

"Answer. I voted for Bisbee for Congress.
"Q. Can you read?
"A. No.
"Q. Do you know who you voted for for governor?
"A. No.
"Q. Do you know who you voted for for lieutenant-governor?
"A. No.
"Q. Do you know who you voted for for members of the State Legislature?
"A. I do not know."

Newton Alexander:

"Answer. I voted for Bisbee for Congress.
"Q. Can you read?
"A. No.
"Q. You do not know who you voted for for governor?
"A. No.
"Q. Do you know who you voted for for President?
"A. No.
"Q. Do you know who you voted for for the State Legislature from your county?
"A. No.
"Q. Do you know any of the qualifications of a voter under the laws of Florida?
"A. No."

Mr. Allen Montgomery:

"Answer. I voted for Bisbee for Congress.

"Q. Can you read?
"A. No.
"Q. Do you know any other names on your ticket except Bisbee's?
"A. No.
"Q. Do you know who you voted for for President?
"A. Bisbee.
"Q. Do you know any of the qualifications of a voter under the law of Florida?
"A. No.
"Q. Do you know what State and county Arredonda is in?
"A. No."

Isaac Henry:

"Answer. I voted for Mr. Bisbee for Congress.
"Q. What do you mean by being a registered voter?
"A. I mean to vote a right Republican ticket and to vote for Mr. Bisbee.
"Q. That is what you understand as being a registered voter, is it?
"A. Yes.
"Q. Can you read?
"A. A little; not much.
"Q. Did you read your ticket?
"A. Yes; I read some part of it.
"Q. What names did you see on it?
"A. I saw Mr. Bisbee's, Conover, and Walls, and I did not see any more.
"Q. Did you vote for Conover for Congress?
"A. Yes, sir.
"Q. Do you know any of the qualifications of a voter under the laws of Florida?
"A. No.
"Q. Who do you believe you voted for for Congress, and who did you intend to vote for for Congress?
"A. I intended to vote for Mr. Conover for Congress.
"Q. What do you mean by 'for Congress?'
"A. Why, the head man of our State.
"Q. What office did you vote for Mr. Bisbee for?
"A. For governor.
"Q. What do you mean by 'for governor?'
"A. Why, to rule our State."

Ben Agent:

"Answer. I voted for Mr. Bisbee or Bisevil.
"Q. Can you read?
"A. No.
"Q. Do you know who you voted for for President?
"A. I told you who I voted for; I voted the public ticket. I always vote that.
"Q. Did you vote for the man whose name is mentioned above for President of the United States?
"A. Yes.
"Q. Do you know who you voted for for governor?
"A. I do not know.
"Q. Did you vote for Mr. Walls for Congress?
"A. I do not know; I voted for Mr. Walls.
"Q. You do not know, then, who you voted for for Congress, do you?
"A. No."

John Clifton:

"Answer. I voted for Bisbee for member of Congress.
"Q. Can you read?
"A. No.
"Q. Do you know any other names on your ticket besides Bisbee's?

"A. No.
"Q. Do you know who you voted for for President?
"A. No; I do not know any one I voted for but Bisbee.
"Q. Do you know who you voted for for governor?
"A. I do not know any one but Bisbee.
"Q. Do you know any of the qualifications of a voter under the laws of Florida?
"A. No.
"Q. Did you vote for Bisbee for President?
"A. Yes.
"Q. Do you know how far the limits of election district No. 12 north, south, east or west are from Arredonda polling place?
"A. No."

This is the kind of evidence upon which the sworn returns of election officers were set aside and votes counted. Acting upon testimony of the flimsy character of the above given samples, the returns given by the proper officers were rejected, and Mr. Bisbee declared entitled to his seat.

LOWE *vs.* WHEELER.

The decision of the House in unseating Wheeler and installing Lowe as Representative from the Eighth Congressional district of Alabama, is without doubt the most arbitrary and shameful act of the first session of the Forty-seventh Congress, prolific as it was of criminality.

The report of the majority of the Committee on Elections was based on evidence introduced by Mr. Lowe, which purported to prove matters not set up in the notice of contest, while no consideration whatever was given to evidence of matters proven by primary and uncontroverted evidence, matters which the law required them to consider, and such as they did consider in other cases during the session. Certain witnesses gave evidence regarding votes cast for both Lowe and Wheeler. The evidence was precisely of the same character, the votes were of the same class, and the evidence was given by same witnesses, yet they counted the votes for Lowe, and refused to count those which in the same breath the same witnesses swore were cast for Wheeler. They counted votes for Lowe on the testimony of persons whose knowledge was acquired from hearsay, and turned a deaf ear to positive witnesses for Wheeler. They accepted secondary testimony which was contradicted by Lowe's own witnesses, and which uncontradicted proof showed had been altered and forged after it went into the hands of Lowe's agents or attorneys. Mr. Wheeler made a proper and reasonable motion to have the forged evidence stricken from the record, which the majority failed to do.

From evidence given by Mr. Lowe's own witnesses it was shown that over 500 unregistered persons voted for him. These votes were all counted by the majority, their apology being that no registration is required in Alabama. This position was so untenable that it was not assented to by the Republican members. They refused to deduct the votes of non-residents who voted for Lowe, although the proof was positive and uncontradicted. Likewise as to the votes that were proven conclusively to have been cast by minors.

The majority cited against the evidence of men of high standing and character the testimony of two colored men, who are impeached by their own contradictions, and of whom one is proven by credible witnesses to be unworthy of belief under oath.

"The record shows that, during the ten days allowed by law for evidence to be taken for contestant in rebuttal, Mr. Lowe's attorneys served a false notice

upon Mr. Wheeler, stating they would take evidence of some fifty-five witnesses at or near Pleasant Hill.

"This notice designated no definite place, and Mr. Wheeler caused a demand to be served upon them, asking for more specific information regarding the locality where the evidence would be taken.

"This polite and proper request was not complied with.

"Mr. Lowe's attorneys went to a place seven miles from Pleasant Hill and proceeded to take evidence *ex parte*.

"After some twenty witnesses had been examined in this way, an attorney employed by Mr. Wheeler succeeded in hunting down this secret place of taking evidence; but even then, after finding the commissioner, he was positively refused the right to cross-examine witnesses.

"Worse than that, the record shows that Mr Lowe's attorney (a nephew of Mr. Lowe) wrote down the evidence himself, and wrote it falsely.

"By such methods there have been produced 55 depositions which purport to show that 55 men voted for Mr. Lowe."

They counted votes for Lowe at Kinlock box, while there was no return and no proof that an election was held there.

They considered as good evidence over one hundred papers, called depositions, which do not show that the witnesses were sworn, and one hundred and fifty which had no pretense to a certificate of a commissioner and some without legal signature.

They gave Lowe votes which he did not demand in his notice of contest.

They counted for contestant 3.028 ballots which had been rejected as illegal for the reason that they contained the designations of eight offices unknown to the laws of Alabama, and of these 1,294 were illegal, for the further reason that they were distinctly visible on the outside to the inspectors and bystanders when folded.

The Alabama statute declares that—

The ballot must be a plain piece of white paper, without any figure, *marks*, rulings, character, or embellishments thereon, not less than two nor more than two and one-half inches wide, and not less than five nor more than seven inches long, on which must be written or printed, or partly written and partly printed, only the *names of the persons* for whom the elector intends to vote, and must *designate the office* for which each person so named is intended by him to be chosen, and any ballot *otherwise than described is illegal and must be rejected.*

THE REPUBLICAN ILLEGAL BALLOT.

FOR ELECTORS FOR PRESIDENT AND VICE-PRESIDENT:

STATE AT LARGE.

JAMES M. PICKENS.
OLIVER S. BEERS.

DISTRICT ELECTORS.

1st District—C. C. McCALL.

2d District—J. B. TOWNSEND.

3d District—A. B. GRIFFIN.

4th District—HILLIARD M. JUDGE.

5th District—THEODORE NUNN.

6th District—J. B. SHIELDS.

7th District—H. R. McCOY.

8th District—JAMES H. COWAN.

FOR CONGRESS—EIGHTH DISTRICT.

WILLIAM M. LOWE.

The following ballot is in the form prescribed by the laws of Alabama. It is similar in form to 12,808 ballots cast for the contestee:

For Electors for President
and Vice President of
the United States.

GEORGE TURNER.

WILLARD WARNER.

LUTHER R. SMITH.

CHARLES W. BUCKLEY.

JOHN J. MARTIN.

BENJAMIN S. TURNER.

DANIEL P. BOOTH.

WINFIELD S. BIRD.

NICHOLAS S. McAFEE.

JAMES S. CLARK.

For Representative in
Congress from the Eighth
Congressional District:

JOSEPH WHEELER.

The legislature of Alabama, exercising a power conferred by the Federal Constitution, had prescribed the mode of choosing Presidential electors as follows:

"On the day prescribed by this code there are to be elected, *by general ticket,* a mber of electors for President and Vice-President of the United States equal to e number of Senators and Representatives in Congress to which this State is enled at the time of this election."

Under this statutory provision there could be no choice of "district elector" for he "first district" or "second district," &c. The depositing of these ballots was n violation of the requirement of the statute that the ballot shall contain only the names of the candidates and the designations of the offices.

The evidence clearly showed that the using of the republican ballots was for the unlawful purpose of preventing a secret ballot.

It is evident that with these ballots secrecy was impossible, and that such ballots could be identified in the hands of the voters.

It is certain that when voters are abused, terrorized, and ostracised for not

voting as their leaders dictate, the weaker classes will hesitate before going to the polls with ballots different from those ordered by their leaders.

It was distinctly charged in the answer, and proved by over fifty witnesses, that the supporters of Mr. Lowe had unlawfully maintained a state of terrorism and alarm among the colored persons by threats of harm to their persons and property.

We might stop with the above, but in passing we will call the attention to the evidence of of Mr. Lowe's witnesses, William Wallace. He was a party manager for Mr. Lowe. He testified that every man was required to carry his ballot at least a foot and a half from his body.

Wallace says:

"I told it to every man. Now, I said, you hold your ticket so I can see it."

Nearly 100 witnesses in this case testified that the Greenback party compelled men to vote their ticket by threats and terrorism, and that 40 witnesses (including men of both colors and all parties) swear that but for this system of terrorism exercised by the Greenback leaders at least half of the people who voted for contestant would have voted with the party which supported the contestee.

Considering all these things together, we see how necessary it was for contestant to have a ballot which could be distinguished by his party leaders, in order to keep the weaker classes in line and prevent them from secretly voting as they desired.

Few of these witnesses knew for what office Lowe, the man for whom they were voting, was a candidate, and many testified positively that they thought he was *running for President.*

Many of the ballots cast for Lowe were tissue ballots, but the Republicans were unwilling to reject them. Mr. Springer introduced the following resolution :

Resolved, That the contested-election case of Lowe *vs.* Wheeler, now pending, be recommitted to the Committee on Elections, with instructions to ascertain the number of tissue ballots, or ballots printed on tissue paper, cast for either party, as shown by the evidence, and to report a resolution giving the seat to the person who received the highest number of legal votes after rejecting all such ballots.

The question was taken ; and there were—yeas 90, nays 129; as follows :

YEAS—90.

*Aiken,	*Cox, William R.,	*Holman,	*Robinson, Wm. E.,
*Armfield,	*Covington,	*Hooker,	*Scales,
*Atherton,	*Cravens,	*House,	*Simonton,
*Atkins,	*Culberson,	*Jones, James K.,	*Singleton, Jas. W.,
*Berry,	*Davidson,	*Kenna,	Smith, J. Hyatt, Ind.
*Blackburn,	*Davis, Lowndes H.,	*King,	*Sparks,
*Blanchard,	*Deuster,	*Klotz,	*Speer,
*Bland.	*Dibrell,	*Latham,	*Springer,
*Bliss,	*Dowd,	*Le Fevre,	*Talbott,
*Blount,	*Dunn	*Manning,	*Tillman,
*Bragg,	*Ermentrout,	*Matson,	*Townshend, R. W.
*Buchanan,	*Evins,	*McMillin,	*Turner, Henry ,
*Buckner,	*Forney,	*Mills,	*Turner, Oscar G.,
*Caldwell,	*Frost,	*Morrison,	*Upson,
*Cassidy,	*Fulkerson,	*Morse,	*Vance,
*Chapman,	*Garrison,	*Moulton,	*Warner,
*Clardy,	*Geddes,	*Muldrow,	*Wellborn,
*Clark,	*Hardenbergh,	*Oates,	*Williams, Thomas,
*Clements,	*Hatch,	*Phelps,	*Willis,
*Cobb,	*Herbert.	*Phister,	*Wise, George D.,
*Converse,	*Herndon,	*Randall,	*Wise, Morgan R.,
*Cook,	*Hewitt, G. W.,	*Richardson, Jno. S.,	
*Cox, Samuel S.,	*Hoge,	*Robertson,	

NAYS—129.

Aldrich,	Fisher,	Marsh,	Scranton,
Anderson,	Ford,	Mason,	Shallenberger,
Barr,	George,	McClure,	Sherwin,
Bayne,	Godshalk,	McCoid,	Shultz,
Bingham,	Grout,	McCook,	Skinner,
Bisbee,	Guenther,	McKinley,	Smith, A. Herr
Bowman,	Hall,	Miles,	Smith, Dietrich C.,
Brewer,	Hammond, John,	Miller,	Spooner,
Briggs,	HASELTINE,	Moore,	Steele,
Browne,	Haskell,	Morey,	Stone,
Buck,	Hawk,	Neal,	Strait,
Burrows, Julius C.,	Hazelton,	Norcross,	Taylor,
BURROWS, Jos. H.,	Heilman,	O'Neill,	Thomas,
Butterworth,	Hepburn,	Pacheco,	Thompson, Wm. G.,
Calkins,	Hill,	Page,	Townsend, Amos,
Camp,	Hiscock,	Parker,	Tyler,
Campbell,	Horr,	Paul, (Readj.,)	Updegraff, J. T.,
Caswell,	Houk,	Payson,	Updegraff, Thomas,
Chace,	Hubbell,	Peelle,	Valentine,
Cornell,	Hubbs,	Peirce,	Van Horn,
Crowley,	Humphrey,	Pound,	Wadsworth,
Cullen,	Jacobs,	Prescott,	Walker,
Cutts,	Jadwin,	Ranney,	Ward,
Davis, George R.,	JONES, GEORGE W.,	Ray,	Watson,
Dawes,	Jones, Phineas,	Reed,	Webber,
Deering,	Joyce,	RICE, THERON M.,	West,
De Motte,	Kasson,	Rice, William W.,	Williams, Chas. G.,
Dezendorf,	Lacey,	Rich,	Willits,
Dingley,	LADD,	Richardson, D. P.,	Wood, Walter A.,
Dunnell,	Lewis,	Ritchie,	Young,
Errett,	Lord,	Robinson, James S.,	
Farwell, Chas. B.,	Lynch,	Russell,	
Farwell, Sewell S.,	Mackey,	Ryan,	

So anxious were the Republicans for a speedy settlement of this case, that it was called up for consideration before the report was ready for distribution. Mr. Manning, of Mississippi, called at the Document room to get a copy of the report the day the case was called up. He was told there were none there, but notwithstanding his statement of the fact to the House, the case was rushed through with most indecent haste.

SMALLS *vs.* TILLMAN.

In this case the Republican House swept away a majority of over 8,000, and seated Robert Smalls in place of George D. Tillman as Representative from the Fifth Congressional district of South Carolina. This action was in pursuance of the recommendation of the majority of the Committee on Elections, whose report is but the old stereotyped charge of votes cast not being counted, or illegally rejected, violence, intimidation, &c.

The laws of South Carolina provide that if more votes are found in the ballot-box than there are names on the poll-lists one of the managers, or the clerk, without seeing the ballots shall draw out, and immediately destroy as many as are in excess of the names on the poll-list. The contestant alleged that unjust discrimination was made against him in drawing out the excessive ballots. Yet it was proven clearly that the person who drew them was blindfolded, and that the drawing was public. Not a single charge of "tissue ballots" was made, and no proof whatever was adduced to fix the responsibilty of the excessive ballots upon the Democrats.

There is not one word of testimony throughout the record to substantiate the charge that votes counted for contestant by the precinct managers were unlawfully rejected by the county canvassers. The law of the State requires the votes to be counted not by the canvassers but by the precinct managers, and that the

latter keep the ballot-boxes for three days after the election. The illegality of the canvassers making their returns from the contents of the boxes as then found is obvious. The law required the precinct managers to count the ballots, and *in public*, immediately after the closing of the polls, and the county canvassers were to make their canvass on the returns as sent to them by the precinct managers. If any votes were rejected, they were rejected by the precinct managers, and *in public*: yet not a single witness is produced to prove that they did so. At one precinct where in no previous election the total vote had been over 300, after 618 votes were cast the ballot-box could hold no more. After consultation both Democrats and Republicans decided that under the law they could not use another box, and that they had no authority to open the box on hand and count the votes. Hence no return was made from this precinct. The testimony showed that about 200 of the 618 were cast for contestee, and 400 for contestant; yet the majority gave the entire number to contestant.

The case at several other precincts was similar with the exception that every one, as a fact undisputed, gave Democratic majorities. Nevertheless the canvassers could not canvas the returns because no returns had been sent to them.

The remaining charge is that of intimidation. If this charge were sufficiently proven to unseat contestee it could have no tendency to seat the contestant. No principle of law is better settled than that no candidate can be held to have been elected to office by votes which, whatever the cause, were not in fact cast for him. The adjudication of contested election cases is a mere mockery if they are to be determined by considering only the best points in the testimony of the witnesses of one party, ignoring the contradictions of said witnesses, and totally disregarding testimony in rebuttal. This, however, was the rule of conduct of the majority of the committee on this intimidation charge. Not a single person testified that he was obstructed in the exercise of his franchise by either word or act, nor was the failure to produce such persons in any way accounted for. The majority report quotes from the depositions of contestant's witnesses, Spells and Washington, so much of their testimony as represents two hundred Democrats in red shirts as riding up to the polls, firing into the Republican voters, and driving about one hundred of them into a swamp, but wholly ignores the fact that on cross-examination Washington reduces the two hundred Democrats in red shirts to *two*, and admits there was not a swamp within four or five miles of the place. It also wholly omits to notice that the testimony of both these witnesses was answered and refuted in every particular by three intelligent and reputable gentlemen; that the character of Washington for truth and veracity was successfully impeached and no attempt to defend it made by contestant in rebuttal.

Contestant's own witnesses testify that only *one* person was prevented from voting, and he was proven beyond question to be an idiot.

They alleged that at one precinct the Republican distributee of tickets was driven from the polls. The utter dishonesty of the majority of the committee is apparent from the fact that it was proven and uncontradicted that this man got into an altercation with a stranger who was not even a resident of the State, and left in a passion, taking the tickets with him, although urged to leave them behind. Even then the trial-justice offered to write tickets for all who desired to vote.

As to the charge of intimidation of from 2,000 to 2,500 colored voters at Edge-

field Court House, *which had never been known to cast over 1200 votes*, uncontradicted testimony was given which showed—

1. That the Republican leaders massed their followers at this precinct from all over the county, armed with clubs and bludgeons, and intent upon a riotous and violent attempt to take possession of the polls.

2. That the village was, on the night previous to the election, beleaguered by these hostile bands, camped upon all the approaches to it, and firing upon peaceful citizens, in the public highway, sent out for the purpose of inquiring their object and intentions.

3. That these bands, aggregating from 2,000 to 2,500 men, marched up to the polling place from all directions on the morning of the election, swinging their clubs, with yells and demonstrations of violence, and attempted to take possession of the polls.

4. That they were prevented from carrying out their unlawful purpose in a most temperate and peaceful manner, with the least possible show of force, and, immediately upon desisting, were invited to vote and offered every facility for doing so, which their unusual numbers rendered possible.

5. That, under the inspiration of their leaders, and without reasonable cause, they voluntarily left the precinct in organized bands, as they came, and went elsewhere.

Conceding that there may be differences of opinion in reference to various other precincts, the vote of Silverton, Creed's Store, and Windsor cannot justly be excluded upon any known principle of the law of evidence.

The vote of Silverton was excluded upon the testimony simply of a man who was not there during the day, but at Low Town Wells, and who merely passed by (not through) Silverton, and obviously knew nothing of the election there. Creed's Store was excluded because of a personal difficulty that occurred there late in the afternoon of the day of election, notwithstanding that it was admitted by all the witnesses for the contestant that not a single vote, except that of one idiot challenged for cause, was lost to him at the precinct, either on account of the difficulty just mentioned, or for any other cause. And the precinct of Windsor is excluded because it appears that the Republican ticket-distributor left the place in a passion, on account of a personal difficulty, and took the Republican tickets with him.

It will be a disgrace to our system of government, a disgrace to our civilization, and a mockery of justice, if whole communities are to be disfranchised upon such adsurdly trivial grounds as these.

The purpose to gain a Republican member at the expense of law and fact was so manifest in this case that Mr. Calkins, the Chairman of the Committee on Elections, rose in his place and stated that, on his conscience, he could not vote to admit Smalls. No heed was given to his words, and Mr. Tillman was railroaded out.

SMITH *vs.* SHELLEY.

In this case the House decided that Charles M. Shelley was not elected as a Representative from the Fourth Congressional District of Alabama, and declared the seat vacant, the contestant, James Q. Smith, having deceased.

This action was based upon the report of the majority of the Committee on

Elections, which made various unsubstantiated charges of ballot-box stuffing, unfair counts and illegal rejection of votes. The justification by the Republican majority of this high-handed action was in the fact that the negro population of this district is in excess of the white. With their usual assumption of ownership of the negro race, they take it for granted that the entire colored vote was cast for contestant. If there was such a preponderance of colored votes as the 18,000 majority which they assume, it has been so divided among opposing candidates that its power at the polls has never been exerted. As evidence of this is the fact that the board of canvassers of each county, composed of the judge of probate, the sheriff, and clerk of the circuit court, is Democratic.

On account of dissensions the Republican convention failed to organize, and there were consequently two Republican opponents to Mr. Shelley, viz: the contestant and William J. Stevens—the latter a negro.

In respect to the charge that the Democratic inspectors appointed purposely absented themselves from the polls, leaving the work to the ignorant negro Republican inspectors, confident that clerical errors would result sufficient to warrant the rejection of the ballots, it is but necessary to refer to the law of Alabama to show its utter absurdity. The law expressly states that if any of the inspectors appointed failed to appear, any one or more of those present might complete the number from the bystanders; and if all of the inspectors failed to appear, any three qualified electors might act as inspectors and open the polls. Surely if this district has a Republican majority of 1,8000, as is claimed, there must have been enough men of the slightest intelligence required to perform the duties. The Democrats refused to serve because of the facility with which indictments for violation of the election laws had theretofore been procured against them in the United States courts. Now, the Republicans assert that the Democratic officers purposely appointed ignorant negro inspectors, and yet the latter left to themselves by the absence of the Democratic inspectors were at full liberty to select their colleagues as they chose, and if there was intelligence sufficient among their myriad hosts, self-interest would surely have guided their choice.

It is a part of the law of the State that the ballots, poll list &c., shall be preserved *sealed* in the ballot-box for sixty days after the election that they may be called for as evidence by a contestant if any appear. The contestant in this case, aware of the composition of the House committee that would consider the case, never applied for these ballots.

In several precincts the inspectors numbered the ballots in violation of law, and in direct violation of their oaths compared the numbered ballots with the name opposite the corresponding number on the poll list. No account of the vote cast was kept by the inspectors while the ballots were being counted. In the language of their only witness, "no one did any writing while the votes were being counted." The law was entirely disregarded by the ballots being opened and read by a clerk—not an inspector. These ballots were delivered in custody to one of the Republican inspectors. Why were they not produced in evidence?

In Lowndes County the only Republican votes contained in one ballot-box were for Stevens, the third candidate, which were rejected by the canvassers as no statement by the inspectors accompanied them. Yet these rejected votes cast for Stevens are given by the majority of the committee to Smith. Certainly the only satisfactory explanation of this matter could be obtained from the voters themselves, and not one was examined.

In one precinct the true ballot-box is alleged to have been replaced by a fraudulent one. This is accepted as proven by the majority of the committee on the testimony of one Gaskin, a Republican U. S. supervisor, who admits that he was not present, but believed it was so, because the box opened contained only 354 ballots, while there were 355 names on the poll list. The testimony of Gaskin's needed corroboration if for no other reason than that in reply to a question, as to whether or not he had been expelled from the Legislature of Alabama for bribery, he said:

"I decline to answer any further questions on that subject, because I do not think it is right."

Nevertheless, although there were five other Republican officers present at the time, not a single corroborating witness was called. And that one man could carry off the ballot-box without opposition or objection on the part of the six Republican officers present, and leave in its place one containing within *one* of the number of ballots contained in that abstracted, would be discredited even by an idiot. The remaining precincts were disposed of in a manner similar to the above.

As a result, it is impossible to see how, without violating the well-established rules of evidence, without accepting mere assumptions, speculations, and opinions for positive proof, without presuming that votes were given to contestant and contestee by the county boards in estimating the votes of the counties, upon no evidence whatever, that such votes were given, or in many cases upon no evidence whatever as to the votes which were given, the conclusion was reached that the contestant showed that he was elected or that the contestee was not.

SUMMARY.

All the elections cases differ in material points of law and fact; but in no one of the above cases did a Republican vote to retain a Democrat in his seat. The orders of caucus were strictly followed, and the cases disposed of with the greatest celerity. It is, perhaps, due to the Republicans to say that their action was not very much more partisan in this Congress than in former ones. The exclusion of Gen. Jas. Shields, hero of two wars, and Senator from three States, is still indignantly remembered.

On the last night of the Forty-third Congress, General Hale Sypher, who had occupied a seat during the whole of that Congress, contested by Mr. Effingham Lawrence, a Democrat, from New Orleans, was unseated only two hours before the expiration of that Congress, when Mr. Hale, of Maine, of the Committee on Elections, reported that Mr. Sypher was not entitled to the seat, and that Mr. Lawrence was, and the only official act of Mr. Lawrence was to take the oath and draw his pay. Then, as between Pinchback and Sheridan, they were both kept out until the same committee reported that Sheridan was entitled to the seat, and he took the oath and drew his pay. That also was on the last night of the Forty-third Congress.

The action of the Democrats in the 46th Congress was at least impartial, as the following history of cases will show:

In the case of Horatio Bisbee *vs.* Noble A. Hull, the committee reported for a Republican.

In the case of James McCabe *vs.* Godlove S. Orth, the committee reported for a Republican.

In the case of J. C. Holmes *vs.* W. F. Sapp, the committee reported for a Republican.

In the case of John J. Wilson *vs.* Cyrus C. Carpenter, the committee reported for a Republican.

In the case of E. M. Boynton *vs.* George B. Loring, the committee reported for a Republican.

In the case of Ignatius Donnelly *vs.* William D. Washburn, the committee reported for a Republican.

In the case of Sebastian Duffy *vs.* Joseph Mason, the committee reported for a Republican.

In the case of Anthony Eickhoff *vs.* Edward Einstein, the committee reported for a Republican.

And only in the cases of Andrew G. Curtin *vs.* Seth H. Yocum and of Jesse J. Yeates *vs.* Joseph J. Martin, did the committee report for Democrats; and a sufficient number of Democrats voted with the Republicans against Governor Curtin to defeat him and retain Mr. Yocum, the Greenbacker, in the seat.

GERRYMANDERING

REPUBLICANS REJECT AMENDMENT TO PROHIBIT.

The duty of apportioning representatives in Congress among the States, according to population as ascertained by the census, was one of the highest duties which devolved on the present Congress. This was made the subject of party advantage by the Republicans. The Republicans in the 46th Congress filibustered in the House to prevent a vote on the bill proposed by the majority. The bill fixing the number at 319 finally passed, but too late in the session to be considered in the Senate. The passage of the bill at that time would have saved the legislature of the States many millions of dollars. For this bill in the 46th Congress every Republican member voted against an identical proposition; the Republican members voted in the 47th Congress and fixed the number at 325, in the hope of partisan advantage. The following is the law :

"*Be it enacted, etc.*, That after the third of March, eighteen hundred and eighty three, the House of Representatives shall be composed of three hundred and twenty-five members, to be apportioned among the several States as follows:

"Alabama, eight; Arkansas, five; California, six; Colorado, one; Connecticut, four; Delaware, one; Florida, two; Georgia, ten; Illinois, twenty; Indiana, thirteen; Iowa, eleven; Kansas, seven; Kentucky, eleven; Louisiana, six; Maine, four; Maryland, six; Massachusetts, twelve; Michigan, eleven; Minnesota, five; Mississippi, seven; Missouri, fourteen; Nebraska, three; Nevada, one; New Hampshire, two; New Jersey, seven; New York, thirty-four; North Carolina, nine; Ohio, twenty-one; Oregon, one; Pennsylvania, twenty-eight; Rhode Island, two; South Carolina, seven; Tennessee, ten; Texas, eleven; Vermont, two; Virginia, ten; West Virginia, four, Wiseonsin, nine.

"SECTION TWO.—That whenever a new State is admitted to the Union the Representative or Representatives assigned to it shall be in addition to the number three hundred and twenty-five.

"SECTION THREE.—That in each State entitled under this apportionment the number to which such State may be entitled in the Forty-eighth and each subsequent Congress shall be elected by districts composed of contiguous territory, and containing as nearly as practicable an equal number of inhabitants, and equal in number to the Representatives to which such State may be entitled in Congress,

no one district electing more than one Representative: *Provided,* That unless the legislature of such State shall otherwise provide before the election of such Representatives shall take place as provided by law, where no change shall be hereby made in the representation of a State, the Representatives thereof to the Forty-eighth Congress shall be elected therein as now provided by law. If the number as hereby provided for shall be larger than it was before this change, then the additional Representative or Representatives allowed to said State under this apportionment may be elected by the State at large, and the other Representatives to which the State is entitled by the districts as now prescribed by law in said State; and if the number hereby provided for shall in any State be less than it was before the change hereby made, then the whole number to such State hereby provided for shall be elected at large, unless the legislatures of said States have provided or shall otherwise provide before the time fixed by law for the next election of Representatives therein.

"All acts and parts of acts inconsistent herewith are hereby repealed.

"Approved, February 25, 1882."

BELTZHOOVER'S AMENDMENT.

The evil effects of gerrymandering were recognized by the Democratic members, and to prevent it in the apportionment under the new bill, one of their number, Mr. Beltzhoover offered the following amendment:

"Amend by adding to the third section of the apportionment bill the following provision:"

"It shall be unlawful to divide any county or parish in the formation of any district which shall consist of more than one county or parish, and in all districts consisting of more than one county or parish the counties or parishes which are most nearly contiguous to each other and which have the number of inhabitants nearest to the ratio fixed by law shall be made a representative district."

The question was taken: and there were—yeas 115, nays 135, as follows:

YEAS—115.

*Aiken,	*Cox, William R.	*House,	*Rosecrans,
*Armfield,	*Cravens,	*Hutchins,	*Scales,
*Atkins	*Culberson,	Jones, George W.	*Scoville,
*Barbour,	*Davidson,	*Jones, James K.	*Shackelford,
*Beach,	*Davis, Lowndes H.	*Kenna,	*Shelley.
*Belmont,	*Dibrell,	*King,	*Simonton,
*Beltzhoover,	*Dowd,	*Klotz,	*Singleton, Jas. W.
*Berry,	*Dugro,	*Knott,	*Singleton, Otho R.
*Black,	*Dunnell,	Ladd,	*Sparks,
*Blackburn,	*Evins,	*Leedom,	*Speer,
*Blanchard,	*Finley,	*Le Fevre,	*Springer,
*Bland,	*Flower,	*Martin,	*Stockslager,
*Blount,	*Forney,	*Matson,	*Talbott,
*Bragg,	*Garrison,	*McLane,	*Thompson, P. B.
*Buchanan,	*Geddes,	*McMillin,	*Tillman,
*Buckner,	*Gunter,	*Mills,	*Tucker;
*Cabell,	*Hammond, N. J.	*Morrison,	*Turner, Henry G.
*Caldwell,	*Hardenberg,	*Morse.	*Turner, Oscar
*Carlisle,	*Hardy,	*Muldrow,	*Upson,
*Cassidy,	*Harris, Henry S.	Murch,	*Urner,
*Chalmers,	Haseltine,	*Mutchler,	*Vance,
*Chapman,	*Hatch,	*Oates,	*Warner,
*Clardy,	*Herbert,	*Phelps,	*Wellborn,
*Clark,	*Herndon,	*Phister,	*Whitthorne,
*Clements,	Hewitt, Abram S.	*Randall,	*Williams, Thomas
*Cobb,	*Hoblitzell,	*Reagan,	*Willis,
*Colerick,	*Hoge,	Rice, Theron M.	*Wilson,
*Converse,	*Holman,	*Richardson, Jno. S.	*Wise, George D.
*Cook,	*Hooker,	*Robinson, Wm. E.	

NAYS—135.

Aldrich,	Bingham,	Browne,	Burrows, Jos. H.
Anderson,	Bowman,	Brumm,	Butterworth,
Barr,	Brewer.	Buck,	Calkins,
Bayne,	Briggs,	Burrows, Julius C.	Campbell,

Candler,	Marsh,	Morey.	Skinner
Cannon,	Mason,	Neal,	Smith, J Herr,
Carpenter,	McClure,	Norcross;	Smith, I etrich C.
Caswell,	McCoid,	O'Neil,	Spauldi g,
Chace,	McCook,	Orth,	Spooner
*Cox, Samuel S.	McKinley,	Pacheco,	Steele,
Crapo,	Miles,	Parker,	Stone,
Cullen,	Miller,	Paul, (Re'jd.)	Strait,
Darrell,	Moore,	Payson,	Taylor,
Davis, George R.	Henderson,	Peelle,	Thomas,
Dawes,	Hepburn,	Pierce,	Townsen l, Amos
Deering,	Hewitt, G. W.	Pettibone,	Tyler,
De Motte.	Hill,	Pound,	Updegraff, J. T.
Dezendorf,	Hiscock,	Prescott,	Updegraff, Thoma:
Dingley,	Horr,	Ranney,	Valentine,
Errett,	Houk,	Ray,	Van Aernam,
Farwell, Sewell, S.	Hubbell,	Reed,	Van Horn,
FORD,	Hubbs,	Rice, John B.	Wadsworth,
Fulkerson, (Rejd.)	Humphrey,	Rice, William W.	Wait,
George,	Jacobs,	Rich,	Walker,
Grout,	Jadwin,	Richardson, D. P,	Ward,
Guenther,	Jones, Phineas	Ritchie,	Washburn,
Hall,	Joyce,	Robeson,	Watson,
Hammond, John	Kasson,	Robinson, Geo. D.	Webber,
Harmer,	Kelley,	Robinson, James S.	West,
Harris, Benj. W.	Lacey,	Ryan,	White,
Haskell,	*Latham,	Scranton,	Williams, Chas. G.
Hawk,	Lewis,	Shallenberger,	Willits,
Hazelton,	Lindsey,	Sherwin,	Young.
Heilman,	Lord,	Shultz,	

So the amendment was not agreed to.

GERRYMANDERS.

In support of his amendment, Mr. Beltzhoover said:

"This amendment is intended to prevent what is known as gerrymandering in the formation of Congressional districts by the Legislatures of the several States. If this end can be achieved in the way I propose or by any other method which may be suggested by the discussion of this subject, it will be more important and efficient in securing just Representatives to the people than any other provision contained in the bill. We have listened for several days to speeches from gentlemen contending with great ability and zeal and some rancor about the loss of a single Representative in several States in the interest of several other States, but they have overlooked or forgotten the fact that by the system of fraudulent arrangement of the Congressional districts in many of the States the people are robbed out of scores of Representatives. What difference will it make to the great commonwealth of Pennsylvania whether she gets twenty-eight or twenty-nine members if her Legislature can so distribute the number allowed as to practically disfranchise one-half of her citizens? This is the exact question which is presented by the condition of affairs which has existed in that and many other States for a decade. This is no new offense against the spirit of the law and the fundamental principles of representative government. It has come down to us from a former generation as a miserable remnant and relic of what was a greater crime against the rights of the people and which required the long and arduous labors of the best men who have ever adorned the annals of our politics to overcome and eradicate. It is the outcropping of that spirit which maintained from the foundation of the Government in 1789 down to 1842 that it was unconstitutional and unlawful for Congress to interfere in any way with the action of the States in the election of Federal Representatives. It was held that they might elect them in any way they pleased, either by a general ticket or by districts of contiguous territory or of territory ever so widely separated, or partly by districts and partly by a general ticket. It was boldly declared by the political leaders of that time that the minorities in the States had no rights to representation in the Federal Government which the State Legislatures were in any way bound to respect. The rights of minorities were utterly disregarded and defied, and although the very existence and permanence of the Government was threatened there was no method of restraining the selfish and tyrannical conduct of the State Legislatures. This crude and unjust and unrepublican system continued down to 1842, when, for the first time in our history, a section was inserted in the apportionment bill requiring the States to elect their members of Congress by districts of con-

tiguous territory and containing the ratio of inhabitants fixed by law for one Representative. Up to that time seven of the twenty-six States elected their members of Congress on general tickets, but the oppression of the minorities in the States and the facility with which a few unscrupulous leaders in a few States could control the national Legislature and the consequent dangers to the Government which threatened from this system eventually brought a reform almost by common consent. It was a great reform wrought by the greatest men of the nation, who unselfishly devoted the energies of years to the work, and its history should be studied by those who are entrusted at this day with the important duty of arranging the apportionment of members of Congress among the several States and providing for the manner of their election.

"In 1823 this subject of requiring the States to elect by single districts of contiguous territory was first effectually brought to the attention of Congress in the consideration of the apportionment bill of that year.

"A committee was appointed by the House for the purpose of inquiring into the expediency of recommending to the several States the propriety of amending the Constitution of the United States in such manner that the mode of electing members of the House of Representatives in Congress may be uniform throughout the United States,

"This was the first work of limiting the arbitrary power of the State Legislatures. The committee appointed under this resolution was headed by Mr. McDuffie, of South Carolina, who made an elaborate and exhaustive report, in which it was recommended—

That each State should be divided into as many districts as will equal the number of Representatives to which the State may be entitled in Congress, and that each of said districts shall elect one Representative.

The report further says:

It is susceptible of demonstration that the elections might be so arranged by a party in power that a small minority of the people should elect a majority of the national Representatives. The mode of operation would be various according to the varying circumstances. Sometimes the object would be accomplished by changing the district into the general ticket-system, sometimes by an artificial arrangement of the districts, and sometimes by skillful arrangement of both. With a view to give strength and durability to the essential bonds of union it is of the utmost consequence that the local minorities in the several States and various geographical divisions of an extensive country should have a fair and full representation in Congress. In periods of deep political excitement nothing is better calculated to allay national animosities and subdue the angry spirit of faction than the mediatorial influence of such Representatives.

"No language could more accurately describe the very same evil which, with its threatening consequences, exists in many of the States to-day. By the very same processes described by Mr. McDuffie three score years ago, "the local minorities by artificial arrangement of the districts" are utterly ignored in the plan of government, and under the dictation of partisan bosses the national Legislature is controlled by a majority elected by a minority of the people. In 1832 the same subject was again presented in Congress in the discussion of the apportionment bill of that year, and the very strongest men of that day exerted all their great powers to procure the district system. Able and eloquent reports were made on the subject, but so strong was the unholy greed for unlawful power by gerrymandering and fraud, that the system was again defeated. In 1842 the battle was once more renewed, and after half a century of conflict the right was at last triumphant. In that year, as I have before stated, an amendment was put on the apportionment bill requiring that members of Congress shall each "be elected by districts composed of contiguous territory and containing as nearly as practicable an equal number of inhabitants." The same provision, with very little change in the language, has been contained in every apportionment bill passed since that time. The same provision is contained in the present bill in section 3, which I propose to amend by adding a still more explicit and imperative restriction on the Legislatures of the States.

"In the consideration of this amendment there are two questions to be discussed: First. Have we the power to provide such a restriction in an apportionment bill? Second. Is such a restriction necessary to compel the State Legislatures to comply with the law? Under clause 1, section 4, article 1, of the Constitution of the United States it was settled in 1842 that Congress has the right and power to

provide the manner in which the States shall elect their Representatives in the Federal Legislature. It was finally decided then and has never been controverted seriously since, that because of the vicious and dangerous manner in which the State Legislatures exercised the power when permitted to them prior to 1842 the contingency had arisen in which it devolved on Congress to provide that the rights of all the people should be respected in Federal elections, and that minorities should not be disregarded. That power has never been in any way surrendered or modified, and there never was a more urgent necessity for its exercise than now. What does the Constitution of the United States mean when it says in plain and imperative language that Representatives "Shall be apportioned among the several States which may be included within this Union according to their respective members." (See clause 3, section 2, article 1, and amendment 14 of Constitution.)

It clearly means that Representatives shall be divided among the people evenly and fairly and justly. It means in the language of Mr. McDuffie's report that all the "various geographical divisions" and all the localities in this "extensive country should have a fair and full representation in Congress." How did Mr. McDuffie and the distinguished men who inaugurated the reform in 1842 provide that this system of apportioning Representatives should be maintained and enforced? By electing Congressmen by single districts composed of contiguous territory and each containing the ratio of inhabitants fixed by law. Wise provisions are plain and ought to have given all the people of all the States a fair distribution of Representatives. But the result has grossly failed to justify the expectations of the great and patriotic men who laid down the law of 1842. Why? Because they confidingly addressed the requirements of that law to men of like honor and integrity with themselves. They did not dream in those halcyon days of the Republic of the specimens of statesmen which would infest the Legislatures of the States in later times. Mr. McDuffie and Mr. Webster and their cotemporaries would have lost faith in public virtue and the success of free institutions and stood paralyzed with disgust if you had shown them the dumbbell district of Pennsylvania and told them that sworn legislators, senators and representatives of the proud old Commonwealth of Franklin and Muhlenberg had made such a district and called it contiguous territory.

"The experience of the last decade has proven overwhelmingly that the provisions of section 3 in the pending bill requiring an honest apportionment of the States into even districts of contiguous territory are utterly inadequate and insufficient to reach the conscience of the modern legislators. Under this section of the bill as it now stand a large portion of the people in many of the States are disfranchised and unrepresented. Under it the very grossest of the evils complained of prior to 1842 are enacted again with a wickedness increased with the growth of the low cunning of the servile satrap of the modern boss. No respect whatever is paid to the contiguity of territory or the ratio of representation. Counties are torn into fragments and distributed by townships and half townships to meet the requirements of the vilest frauds. Counties widely separated are joined by narrow strips of land running like clothes-lines through intervening counties, and thus connected are called contiguous territory and erected into districts. In this spirit the legislature of last winter in Pennsylvania made a judicial district consisting of two counties separated by many miles in order to carve out a district in which it is alleged one of the State senators thought he might be able to reach the ermine.

"But let me illustrate the enormity of this offense against decent apportionment and fair representation by referring to some of the districts made under the last Congressional gerrymander in Pennsylvania.

"Take the eleventh district, which is represented by my colleague Mr. KLOTZ.

In this district three Democratic counties are taken in one section, all contiguous and containing about four thousand Democratic majority. But not satisfied with swallowing up this large surplus of the minority party in the State, they want more, and while there is abundant contiguous territory they do not take it, but run a marvelously constructed belt or line across two large intervening counties, wresting therefrom in the passage twenty and one-half townships, containing 1500 more Democratic majority, so as to strike and take in two other large Democratic counties with over 3000 more Democratic majority. Then we have a district, without a parallel in all the infamous history of fraudulent apportionment, in the shape of a dumb-bell, with two large ends and a handle between them, gathering up in its peculiar contiguous serpentine area about nine thousand Democratic majority. This district as it appears in the political text-books and almanacs, composed of five counties and parts of two counties, is bad enough, but as it appears on the map and to the people of the State it is the crowning work and masterpiece of that matchless band of political conspirators who have held the reins in Pennsylvania for years, and before whose sublime genius for political fraud and chichane their feeble imitators in all the other States grow green with envy, It is the ideal which delights the dreams of the machine man as he contemplates it by day, and the fetich before which he bows at night in mute admiration for the marvelous work of his master's hand.

"What is the result of this slicing off twenty and one-half townships from the two counties which were mutilated in making the remarkably contiguous territory of the eleventh district? Why, we have the twelfth district, consisting of parts of two counties which would otherwise be largely Democratic, but which, slicing off 1500 Democratic majority, leaves the remainder so close as to permit my colleague, Mr. SCRANTON, a Republican, to slip in.

"Take next the tenth district, where we have another interesting work of the great gerrymander's hand. There we have two large contiguous counties, with an abundantly sufficient number of inhabitants for a District, and 6000 Democratic majority. But they are not satisfied with that, but go over into an adjoining county and wrest therefrom eleven townships, containing 2,000 more Democratic majority, and these townships they attach to the district, already large enough, so as to make it largely above the ratio and increase my colleague Mr. MUTCHLER'S majority to over 8000. Now, why was this done? So that the remainder of the county, which is otherwise Democratic, from which the eleven townships are taken, may become Republican, and being attached to its adjoining county send my colleague, Mr. GODSHALK, to Congress from what would otherwise have been a fair Democratic district.

"If there are any more infamous frauds on the people of any State in this whole nation, I have never heard of them. The Shoe-string district in Mississippi is bad enough, but it is only the work of an apprentice; it is child's play to the skillful carving of our Pennsylvania artists in fraud.

"How do these things affect the representation of the great State in which they are perpetrated? In 1880 the Democratic party polled 407,428 votes and elected 7 members of Congress. The Republicans polled 444,704 votes and elected 20 members. It took 50,928 votes to elect a Democratic Congressman, while it took only 23,450 votes to elect a Republican Congressman. Thus a large portion of the people of that great commonwealth are disfranchised and unrepresented, a great crime is committed against the fundamental principles of representative government and against the plain intention and purpose of the Constitution of the United States. The amendment which I propose will add an additional safeguard to that provided by the great men of 1842, and if it does not prevent the professional political burglar from breaking through the law, it will at least convict him before the country of technical as well as moral perjury, and endanger the admission to Congress of the delegates from the State which plainly violates the law.

"This is a principle in which the political progress and prosperity and permanence of this great Government are involved, The violation of it strikes at the foundation on which our whole political structure rests. Whether we endure or perish as a Republic depends upon whether we patriotically observe the laws of political existence upon which republics are founded, or whether we defy them. What we do now fixes our political system for a decade. We should therefore act deliberately and unselfishly and honestly. We should do all that ingenuity and zeal can do to build a bulwark high and strong around the conditions and limitations of political power."

In every State in the North where the Republicans have power and would reap benefit from so doing they have resorted to gerrymandering. Mr. Beltzhoover's speech shows to what an extent this pernicious practice has been carried in Pennsylvania. The apportionment of New York is grossly unfair, the districts being so arranged that it takes many more votes to send a member of Congress from the cities of New York and Brooklyn—Democratic strongholds—than from a district in the upper portion of the State, the Republican strongholds. Ohio and Illinois have also been subjected to partisan gerrymanders. Mahone's scheme to re-district Virginia was so outrageous that it failed to become a law.

The injustice of apportionments made by Republican Legislatures is rendered manifest from the following table:

State.	Republican vote.	No. of Cong'men.	Democratic vote.	No. of Cong'men.
Illinois	318,037	14	277,321	6
Minnesota	93,900	5	53,315	—
Ohio	375,048	16	340,000	5
Pennsylvania	444,704	19	407,428	8
Michigan	185,190	11	131,300	—
Kansas	121,500	7	59,789	—
Iowa	183,900	11	105,845	—
Wisconsin	144,200	7	114,634	2
Massachusetts	165,205	10	111,960	1
Connecticut	67,073	3	64,417	1
New Jersey	120,555	4	122,565	3
	2,219,312	107	1,788,574	26

SPEAKER KEIFER'S ARBITRARY RULINGS.

THE RIGHTS OF THE MINORITY.

May 29, 1882, should be a day long remembered in the annals of Congress, for on that day was first enunciated by a Speaker of the House of Representatives the remarkable doctrine that the majority of the House has the right to so change the rules as to deprive the minority of all rights whatsoever. The occasion for this decision, was the submission from the Committee on Rules of a proposition to so change the rule as to put a stop to the practice known as filibustering of which the Democratic members, following the example of all parties, had been availing themselves to compel an investigation of the well-grounded allegations of mutilation and erasure in the testimony in the contested election case of Mackey *vs.* O'Connor. Mr. Reed called for the consideration of the report, pending which Mr. Kenna interposed a motion to adjourn under clause 5, rule 16. which is clear and explicit:

"A motion to fix the day to which the House shall adjourn, a motion to adjourn, and to take a recess *shall always be in order*, and the hour at which the House adjourns shall be entered on the journal."

Mr. Reed made the point of order that pending a motion to change the rules the motion to adjourn was not in order. An able and exhaustive debate on the point of order followed, which was participated in by Messrs. Randall, Carlisle, Blackburn, and Cox, for the Democrats, and Messrs. Robeson, Robinson, and Reed, for the Republicans.

The decision of the Speaker was a remarkable one. It was read from manuscript, and while treating of the general subject, ignored many of the points made in the debate. From this fact it was apparent that it had been prepared in anticipation of the submission of the question to his judgment, and this fact, coupled with the repeated errors, which the Honorable Speaker made in reading it lent color to the suspicion that it had been prepared by his guide, philosopher, and friend, George M. Robeson.

The decision was that the majority had the right to change the rules at pleasure, and on appeal the Speaker was sustained by his party. This novel decision, so at variance with the fundamental principles of parliamentary law, never occurred to Mr. Speaker Blaine during the filibustering on the Force bill, nor to the Democrats when the Republicans filibustered to prevent the impeachment of the notoriously corrupt George F. Seward.

In all legislative assemblies the rights of the minority have, heretofore, been scrupulously guarded. The noble utterances of Mr. Speaker Onslow, for nearly the one-third of a century, Speaker of the House of Commons, on the object of rules in legislative assemblies are quoted and endorsed by Jefferson on the first page of his manual, which to-day governs the House of Representatives.

"It was a maxim he had often heard when he was a young man, from old and experienced members, that nothing tended more to throw power into the hands of administration, and those who acted with the majority of the House of Commons, than a neglect of and departure from the rules of proceeding; that these forms, as instituted by our ancestors, operated as a check and control on the actions of the majority, and that they were in many instances a shelter and protection to the minority against the attempts of power.

"So far the maxim is certainly true, and is founded in good sense, that as it is always in the power of the majority, by their numbers, to stop any improper measures proposed on the part of their opponents, the only weapons by which the minority can defend themselves against similar attempts from those in power are the forms and rules of proceeding which have been adopted as they were found necessary from time to time and are become the law of the House; by a strict adherence to which the weaker party can only be protected from those irregularities and abuses which these forms were intended to check, and which the wantonness of power is but too often apt to suggest to large and successful majorities.

"And whether these forms be in all cases the most rational or not is really not of so great importance. It is much more material that there should be a rule to go by than what that rule is, that there may be a uniformity of proceeding in business, not subject to the caprice of the Speaker or captiousness of the members."

Before the present Congress no party has dared to trample on the rights of the minority which have been considered as indisputable as the rights guaranteed by Magna Charta or declared in the Declaration of Independence. The dangerous powers of an unchecked majority cannot be better shown than in the eloquent words of Hon. Andrew G. Curtin:

"I was proceeding to say that the rules of a deliberate body are made, as I understand, for the protection of the minority. And I said the gentleman from New Jersey [Mr. ROBESON], the acknowledged leader of the majority of this House, has declared that this House can override the constitutions of States and local laws and unseat a member at their pleasure. Let us see, Mr. Speaker, where we would be carried by the assertion of such a principle or the exercise of such a power if pressed to its logical consequences.

"It would be possible for the Speaker of this House, as he has power under

the rules to constitute the committees at his pleasure, to form a committee if he pleases of a majority of the House that could unseat man by man, no matter what districts they represented, what States or by an acknowledged majority of their constituencies, until the minority was destroyed and not one left to voice the will or the wishes, the interests or the sentiments of one-half of the people of the United States, in all important measures directed to the collection of revenue, the expenditures of public money, the disposition of all those measures which lead to prosperity. The conservative sentiment and principles which underlie our structure of government would be set at naught, and the minority might be frittered away under the powers given by the rules and under the Constitution to the Speaker of this body; and the majority having acquired absolute control could not only if they pleased increase that majority so as to be entirely satisfactory for the measures they proposed, but they might destroy the minority of the House altogether, and the minority of the people of the United States might be left without representation on this floor, and might cry in vain for relief, or ask for measures for their prosperity and the glory and the power of this Government. For they would be in the hands of an inexorable majority. Take one step more in the carrying out of such a principle and you have ignored the written law of the land, deranged the balances and checks of the powers of the Constitution, and defy the lessons of the fathers as learned in our history and traditions. * * * * * * * * *

"In the French Revolution, after the king had lost his head and legitimate government was destroyed, there remained in the Council of Five Hundred an intelligent and conservative minority which gave offense and trouble to the progressive revolutionists of that country. One day when the council was in session and the minority asserted and contended for their rights, the bloody-handed leader of the revolution uttered the declaration, "Purge the convention! Let the blood of the wicked flow!" In one hour there was no minority in that body. This is a disposition of a minority not likely to occur in this country, certainly not in this House, but who can tell what may occur in the future; and should we not protect posterity by the wisdom of our Government from all such scenes as occurred in Paris, where, under a semblance of a representative form of government, the streets of Paris ran with human blood and government was moved from its legitimate and proper functions? For fifteen years civilization rocked and reeled under the heavings of that wonderful revolution and millions of people went down to death. Commerce barely lived, civilization was brought to a pause, millions denied God and set up for worship the Goddess of Reason.

"Mr. Speaker, I do not say this is to occur in this country; I do not expect it; but it is proper and right to say before I close that the minority has rights guaranteed by the Constitution and laws of this country which cannot be denied without disregarding the great fundamental principles of this Government, under which we enjoy so many blessings. And if it should occur that a body of men in the future should conceive to conspire revolution, to strike down our form of government as to take from the Representatives on this side of the aisle the benefits and blessings accorded them by the Constitution of the United States and the rules of this House, this is the place for such a body of men and this the highway to the consummation which we can only contemplate with feelings of sorrow and humiliation." [Applause.]

PROTEST OF THE MINORITY.

The decision of the Speaker was of such far-reaching consequences that the Democratic representatives felt it their duty to enter the following solemn protest against it:

"Whereas the minority of this House have heretofore, under the rules of the House, successfully resisted the efforts of the majority to consider the case of Mackey *vs.* O'Connor, because a proper hearing has not been granted to the contestee by the Committee on Elections, as to the allegations of forgery and fraud in the evidence submitted by the contestant; and

Whereas the minority have offered to proceed to the consideration of the case as soon as said allegations have been duly investigated; and

Whereas the majority, in order to prevent and avoid such an investigation, have proceeded to change the rules, in a manner not provided for in the rules by which alone they can or ought to be changed; and

Whereas the Speaker has made a ruling which justifies a proceeding unknown to the principles of constitutional and parliamentary law and subversive of the rights of the minority: Therefore

The undersigned, representatives of the people, hereby protest against the proceedings of the majority and the rulings of the Speaker, as unjustifiable, arbitrary, and revolutionary, and expressly designed to deprive the minority of that protection which has been established as one of the great muniments of the representative system, by the patient and patriotic labors of the advocates of parliamentary privilege and civil liberty.

Abram S. Hewitt,	Olin Wellborn,	Geo. T. Garrison,
Daniel Ermentrout,	Robt. M. McLane,	Oscar Turner,
J. Fred. C. Talbott,	Jno. E. Kenna,	E. C. Phister,
Morgan R. Wise,	Jonathan Scoville,	W. S. Rosecrans,
L. C. Latham,	John H. Evins,	James Mosgrove,
Miles Ross,	G. D. Tillman,	J. Floyd King,
Henry S. Harris,	J. S. Richardson,	A. M. Bliss,
H. A. Herbert,	John H. Reagan,	J. J. Finley,
G. W. Hewitt,	Sam. J. Randall,	J. Proctor Knott,
R. P. Bland,	S. S. Cox,	Jno. W. Caldwell,
Wm. Mutchler,	Jo. C. S. Blackburn,	Wm. M. Springer,
John S. Barbour,	Jordan E. Cravens,	R. H. M. Davidson,
A. A. Hardenbergh,	H. G. Turner,	H. L. Muldrow,
Benton McMillin,	Gibson Atherton,	Geo. L. Converse,
Geo. W. Ladd,	Fetter S. Hoblitzell,	J. D. C. Atkins,
S. M. Stockslager,	Jos. Wheeler,	S. W. Moulton,
W. G. Colerick,	Wm. S. Holman,	Geo. W. Geddes,
James K. Jones,	J. R. Tucker,	G. H. Oury,
Chas. B. Simonton,	W. C. Whitthorne,	Martin L. Clardy,
W. R. Morrison,	Ben. Le Fevre,	M. E. Post,
J. G. Carlisle,	J. A. McKenzie,	R. F. Armfield,
Albert S. Willis,	Wm. A. J. Sparks,	Clement Dowd,
W. H. Hatch,	Wm. C. Oates,	E. W. Robertson,
J. Phelps,	C. M. Shelley,	R. Warner,
P. Henry Dugro,	R. L. Gibson,	A. G. Chapman,
Wm. R. Cox,	Geo. C. Cabell,	Hugh Buchanan,
Jas. W. Singleton,	Geo. W. Cassidy,	B. Wilson,
E. John Ellis,	D. Wyatt Aiken,	T. M. Gunter,
R. Graham Frost,	Perry Belmont,	Philip Cook,
Van H. Manning,	C. P. Berry,	Robt. B. Vance,
Geo. D. Wise,	N. C. Blanchard,	J. C. Clements,
A. M. Scales,	Thos. Williams,	Martin Maginnis,
Jno. F. House,	H. D. Money,	Geo. Ainslie,
Phil. B. Thompson, Jr.,	Lewis Beach,	E. L. Martin,
Jno. B. Clark, Jr.,	Robt. Klotz,	R. P. Flower.

The decision of the Speaker in the first instance was followed by others of a most arbitrary and unjust character, which caused the introduction of the following resolution of censure by Mr. McLane:

"Whereas the House of Representatives, in the exercise of a power expressly conferred upon it by the Constitution, has ordained and established a code of rules for the government of its proceedings and for the guidance of its presiding officer, among which rules are the following;

"(Rule I, clause four:)

"He shall sign all acts, addresses, joint resolutions, writs, warrants, and subpœnas of or issued by order of the House, and decide all questions of order subject to an appeal by any member, on which appeal no member shall speak more than once, unless by permission of the House.

"(Rule XVI, clause 4:)

"When a question is under debate, no motion shall be received but to fix the day to which the House shall adjourn, to adjourn, to take a recess, to lay on the table, for the previous questions (which motion shall be decided without debate), to postpone to a day certain, to refer or to amend, or to postpone indefinitely; which several motions shall have precedence in the foregoing order; and no motion to postpone to a day certain, to refer, or to postpone indefinitely, being decided, shall be again allowed on the same day at the same stage of the question.

"RULE XVII.

"PREVIOUS QUESTION.

"1. There shall be a motion for the previous question, which, being ordered by a majority of members present, if a quorum, shall have the effect to cut off all debate and bring the House to a direct vote upon the immediate question or questions on which it has been asked and ordered. The previous question may be asked and ordered upon a single motion, a series of motions allowable under the rules, or an amendment or amendments, or may be made to embrace all authorized motions or amendments and include the bill to its engrossment and third reading, and then, on renewal and second of said motion, to its passage or rejection.

"It shall be in order, pending the motion for or after the previous question shall have been ordered on its passage, for the Speaker to entertain and submit a motion to commit, with or without instructions, to a standing or select committee; and a motion to lay upon the table shall be in order on the second and third reading of a bill."

"And whereas on the 29th day of May, 1882, while each and all of the said rules remained unaltered and in full force, the following decisions and rulings were made by the Speaker:

"Mr. REED. I now call the previous question upon the adoption of the report made by the Committee on Rules.

"Mr. SPRINGER. I move to lay the report on the table.

"The SPEAKER. That motion is not entertained.

"Mr. SPRINGER. I move to lay the report of the Committee on Rules on the table.

"Mr. CONVERSE. I ask the gentleman from Maine permission to make a motion to amend the report so far as it relates to suspending the rules, so that it shall apply only to cases of election contests.

"Mr. ROBESON. That is in the rule now. This incorporates the existing rule, so far as that is concerned.

"Mr. SPRINGER. I move to lay the report on the table.

"The SPEAKER. The motion is not entertained. The gentleman from Illinois is not recognized to make it.

"Mr. SPRINGER. I have a right to make it under the rules. Does the Chair refuse to entertain a motion to lay on the table?

"The SPEAKER. The Chair entertains the motion of the gentleman from Maine, which is a demand for the previous question.

"Mr. SPRINGER. I rise to a question of order.

"The SPEAKER. The gentleman from Maine demands the previous question.

"Mr. SPRINGER. I raise the question of order that the motion to lay on the table takes precedence of the motion for the previous question.

"Mr. CAMP. There is no such motion before the House.

"The SPEAKER. The ruling of the Chair was sufficiently broad to cover all these questions.

"Mr. SPRINGER. The Chair has not ruled a motion to lay on the table is out of order.

"The SPEAKER. The Chair has ruled that dilatory motions are not in order.

"Mr. SPRINGER. I deny that this is a dilatory motion, and the Chair has no right to say I am making a dilatory motion. I am making a motion that is always recognized as in order.

"The SPEAKER. The gentleman from Illinois is not in order.

"Mr. SPRINGER. I am in order; and I appeal from the decision of the Chair and desire to state the reasons for that appeal.

"The SPEAKER. The Chair declines to entertain the appeal.

"Mr. SPRINGER. I desire the Chair to hear me.

"Mr. TUCKER. Does the Chair hold the motion to lay on the table is out of order?

"The SPEAKER. The Chair holds that the motion is not in order on the question of the adoption of this proposed rule.

"Mr. TUCKER. And does the Chair refuse to entertain an appeal from its decision?

"The SPEAKER. Unquestionably.

"Mr. SPRINGER. I call the attention of the Chair——

"The SPEAKER proceeded to put the question on Mr. REED'S motion for the previous question.

"Mr. SPRINGER. I call the attention of the Chair——

"The SPEAKER. The gentleman from Illinois is not in order.

"Mr. SPRINGER. I desire to state the question——

"The SPEAKER rapped to order and said: The Chair has heard the question and overrules it.

"Mr. SPRINGER. I rise to a question of privilege.

"The SPEAKER. The Chair cannot entertain it now. The Chair is very indulgent to the gentleman from Illinois, and has heard him on his application, but the gentleman must now desist from further insisting on this matter.

"Mr. SPRINGER. I have raised a privileged question and desire the Chair to rule on it.

"The SPEAKER. The Chair has ruled on it.

"Mr. SPRINGER. I appeal from the decision of the Chair.

"The SPEAKER. The Chair declines to entertain that appeal.

"The previous question having been ordered, further proceedings were had, as follows, namely:

"Mr. SPRINGER. I now rise to a privileged motion, which is to commit this report with instructions which I send to the Clerk's desk.
"The SPEAKER. The Chair holds that the motion is not in order.
"Mr. SPRINGER. I call the attention of the Chair to the language of Rule XVII.
"The SPEAKER. The Chair remembers the rule very well.
"Mr. CAMP. Debate is not in order.
"Mr. SPRINGER. I ask that the rule be read. It shows that 'it shall be in order, pending the motion for or after the previous question shall have been ordered on its passage'——
"The SPEAKER. On the passage of a bill.
"Mr. SPRINGER. On the passage of any motion—'for the Speaker to entertain one motion to commit with or without instructions.' I submit that motion under the rule and ask that instructions may be read.
"The SPEAKER. The Chair has heard the gentleman's statement, and rules his motion out of order.
"Mr. SPRINGER. The Chair cannot rule upon it until it is read.
"The SPEAKER. The Chair has heard the gentleman's statement, and it was quite intelligible. [Laughter.]
"Mr. SPRINGER. Will the Chair allow the motion to be read?
"The SPEAKER. The Chair will not.
"Mr. SPRINGER. Then I move that this report be recommitted with instructions to the committee to report the same back with an amendment so that it shall be in order pending a contested election case to move to amend, to recommit, or to lay the subject on the table.
"The SPEAKER. The Chair thinks that the motion to recommit a contested election case would be in order under the rules.
"Mr. SPRINGER. That is what I desire to have incorporated in the new rules.
"The SPEAKER. The gentleman's motion is not in order. The question is upon the adoption of the report from the Committee on Rules.
"Mr. RANDALL. And on that I call for the yeas and nays.
"Mr. SPRINGER. I appeal from the decision of the Chair.
"The SPEAKER. The Chair does not entertain the appeal.
"Mr. SPRINGER. The Chair does not?
"The SPEAKER. The Chair does not.
"Mr. SPRINGER. Then the Chair [cries of 'Order!'] is violating the plainest rules of the House, and ought to be deposed.
"The SPEAKER. The Chair can only say to the gentleman that his motions have been clearly out of order even under the rules, if they were applicable at all. But the Chair has made a ruling which has been affirmed in the most extraordinary manner by the House, and the Chair will certainly be bound to stand by that affirmation of its own ruling.
"Mr. SPRINGER. If we have no rules the Speaker is right; but we have rules, all of which are being violated by the Chair, and I repeat that the Chair ought to be deposed.
"The SPEAKER. The question is upon ordering the yeas and nays upon agreeing to the report of the Committee on Rules.
And whereas a member was thus not allowed his right as a Representative of the people to submit for the consideration of the House motions affecting the merits of the measure then impending, and the right of the House to construe its own rules was not accorded; and
Whereas it is the duty of the House to maintain the integrity and regularity of its proceedings, and to preserve the rights and privileges of its members: Therefore,
Resolved, That in the judgment of the House the said motions and appeals were in order at the time they were made and taken under the existing rules, and ought to have been entertained and submitted by the Speaker to the House for its action thereon.
Resolved, That the said decisions and rulings of the Speaker and his refusal to allow appeals therefrom were arbitrary, and are hereby condemned and censured by this House.

Contrary to propriety the Speaker remaining in the chair while the resolution was being read, and at the conclusion denied Mr. McLane an opportunity to be heard, and recognized the motion of Mr. Reed to lay upon the table, which prevailed, thus cutting off debate and vote on the resolution of censure. Upon the resolution of censure, no debate was allowed, but on the day previous, on the motion to correct the journal, Mr. Knott, (Democrat,) said:

"During the debate which occurred on yesterday there was frequent appeal made to the Constitution of the United States as the paramount law not only of the land but of this House; and it was argued that where there was a plain peremptory provision of that instrument in apparent contravention of the rules of the House the provision of the Constitution would prevail.
"Now I will call your attention, Mr. Speaker, and the attention of the House to the third clause of the fifth section of the first article of the Constitution, which is plain and peremptory in its terms, commanding that 'each House shall keep a journal of its proceedings.' If that means any thing, it means that each House shall cause to be reduced to writing every transaction that takes place during its sessions, every motion that is made, every ruling that is made upon such motion, and every determination thereof.
"A journal implies a complete and a truthful journal. A motion may be made that is out of order; nevertheless it is made. Because it happens to be out of or-

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der is no reason why it should not go upon the journal. The fact is that the motion was made, whether out of order or in order; and it is necessary that it should be recorded, and it is necessary that the ruling of the Speaker upon it should be recorded as a precedent by which future proceedings of the House are to be regulated.

"Now, sir, if it comes to this that nothing can go upon that journal unless the Speaker chooses to entertain it, then the will of the Speaker and not the rules of this House and not the Constitution is the law in that regard. The Speaker can arbitrarily determine whether he will entertain a motion or not; and if he decline to entertain it then he prohibits the Clerk from entering it upon the journal, and where is the redress? What becomes of that provision of the Constitution which requires that the proceedings of the House shall be truthfully recorded?

"Has it come to this, that the arbitrary will of the Speaker, right or wrong, shall supersede and override the Constitution of this country? I have as high respect for the present occupant of the Chair, perhaps, as any other man. Yet I cannot say that he is infallible; I cannot say that he is incapable of making a mistake. I cannot say that he may not refuse to entertain a motion that is perfectly legitimate in its character. I cannot say that when he refuses to entertain an appeal he is not mistaken. I say that when he does refuse to entertain an appeal he is mistaken, because the rules of this House give to every member the right to appeal from the decision of the Chair, whether it be to entertain a motion or not.

"I may make a motion and you, Mr. Speaker, may decline to entertain it; and it is said I cannot appeal from your decision declining to entertain that motion. Otherwise the House is powerless; it is prostrate under the feet of the Speaker whenever he may see proper to exercise arbitrary power."

SUMPTUARY LEGISLATION.

It is a well established principle of Democracy that the regulation of the private affairs of the people and police regulations be left to the local government; that the Federal authority should not be exercised for such a purpose. Even in the conduct of State government the Democratic party in all times has favored the largest amount of personal liberty consistent with the general welfare. In fact, a citizen should not be compelled to surrender any portion of his right to pursue his own true and substantial happiness in his own way, unless the public good imperatively demands it. Freedom of speech, freedom of press, freedom of religious convictions, freedom of individual action, must be upheld or we have no liberty worth maintaining.

The Democratic party opposes all sumptuary laws, because they restrict, unnecessarily, the right to individual action. How a citizen is to enjoy his wealth, what to eat, what to wear, what to put on his back or in his mouth, he must judge for himself. When done in private, and at what time he will do it, is in his own discretion. The Democratic party affect no gushing sentimentalism which, by statute, would millenniumize the world. If the foibles, follies, and appetites of human nature could have been rectified by law, the world would have attained "human perfection" long ere now. The Democratic party professes practical statesmanship on this subject. With no power to eliminate the follies and vicious appetites of human nature, they undertake, as the best that can be done, to guard, qualify, and restrain.

With this view its policy has been by proper laws to maintain the Sabbath as a day of rest from labor, leaving each person the liberty of determining for himself, according to his own religious convictions, whether to keep it holy and the degree of religious ferver with which he would observe it—to set it apart from other days, recognizing the religious sentiments of the people and respect

ing the same, leaving, however, every one to such harmless amusements and enjoyments as pleasure dictates consistent with his own peculiar religious convictions unrestrained by sumptuary laws. The friend of the foreigners they have opposed all laws, constitutional or otherwise, which would deprive them of liberties here which they enjoyed under their own government at home and of which they are sought to be deprived by sumptuary laws born of semi-religious fanaticism and which are of little practical good.

The policy of the Republican party has been just the reverse. Not only has it attempted through State laws to put its own bigoted and sanctimonious stamp upon the appetites and tastes of the people, but it is now attempting to use the powers of the central Government for similar purposes. An entering wedge of this kind was recently introduced in the House, as may be seen from the following resolution and vote:

ALCOHOLIC LIQUOR TRAFFIC.

On the 6th of February, 1882, Mr. JOYCE, (Republican,) from Vermont, moved in the House of Representatives that the rules be suspended and the following bill be taken up out of order and passed:

Be it enacted, &c., That there shall be appointed by the President, by and with the advice and consent of the Senate, a commission of five persons, not all of whom shall be advocates of prohibitory liquor laws, and neither of whom shall be the holder of any office of profit or trust in the General Government or any State government. The said commissioners shall be selected solely with reference to personal fitness and capacity for an honest, impartial, and thorough investigation, and shall hold office until their duties shall be accomplished, but not to exceed two years. It shall be their duty to investigate the alcoholic, fermented, and vinous liquor traffic and manufacture with reference to revenue and taxation, and the effect of each class of such liquors in their economic, criminal, moral, and scientific aspects in connection with pauperism, crime, social vice, the public health, and general welfare of the people; and also to inquire into the practical results of taxation and license, and of restrictive legislation for the prevention of intemperance in the several States, Territories, and District of Columbia.

SEC. 2. That the said commissioners shall further ascertain, as near as may be, the number of gallons of wine, beer, or distilled liquors annually consumed in different countries, more especially within the United States; the number of deaths annually from alcoholism, the number and character of crimes resulting from the use of alcoholic and malt liquors; and the diseases produced by the use thereof, mental as well as physical; the number of arrests for drunkenness; the amount of pauperism produced by the use of such liquors; the amount of revenue received by the Government from the liquor traffic and liquor making; the amount of tax or revenue received from such manufacturing and traffic by State and municipal governments; the amount of food transformed into alcohol; the probable retail cost of alcoholic and malt liquors consumed; the cost of caring for the insane, idiotic, criminals, and paupers made such by the use of alcoholic and malt liquors; the capital employed in the manufacture of such liquors and in the traffic thereof; the quantity of such liquors imported and exported; the number of persons employed in the manufacture and sale of such liquors.

SEC. 1. That the said commissioners shall serve without salary, but are hereby authorized to employ a secretary at a reasonable compensation, not to exceed $2,500 per annum, which, with the necessary expenses, incidental to such investigation, of the secretary and commissioners, shall be paid, out of any money in the Treasury not otherwise appropriated upon vouchers signed by the president and countersigned by the secretary, and approved by the Secretary of the Treasury; and the sum of $10,000, or as much thereof as may be necessary, is hereby appropriated to pay such vouchers.

SEC. 4. That said commissioners shall, as soon after their appointment as is convenient, meet and organize by the election of one of their number as president of such board, and they shall also elect a secretary as hereinbefore provided, who shall take the usual oath of office, and give a bond to the Secretary of the Treasury of the United States in the penal sum of $3,000 for the faithful performance of the duties of his office, which bond and the sureties thereon shall be approved by such Secretary of the Treasury,

SEC. 5. That it shall be the further duty of said commissioners to report the result of their investigations and the expenses attending the same to the President, to be by him transmitted to Congress.

The question was taken, and there were—yeas 112, nays 98, as follows:

Anderson did not vote

YEAS—112

Bayne,	Hammond, John,	Mills,	Simonton,
Belford,	HASELTINE,	Moore,	Skinner,
*Beltzhoover,	Haskell,	Neal,	Smith, A. Herr,
Bowman,	Hawk,	O'Neil,	Smith, Dietrich C.
Briggs,	Hazelton,	Orth,	Smith, J. Hyatt, (Ind.)
Browne,	Heilman,	Pacheco,	Spaulding,
Buck,	Henderson,	Page,	Spooner,
Burrows, Julius C.	Hepburn,	Parker,	Steele,
Camp,	Hiscock,	Payson,	Strait,
Candler,	Horr,	Peelle,	Taylor,
Cannon,	Houk,	Pierce,	Thompson, Wm. G.
Carpenter,	Hubbell,	Pettibone,	Tyler,
Caswell,	Hubbs,	Pound,	Updegraff, J. T.
Chace,	Humphrey,	Ranney,	Urner,
Crapo,	Jacobs,	Ray,	Valentine,
*Culberson,	Jadwin,	Reed,	*Vance,
Cullen,	*Jones, James K.	Rice, William W.	Van Aernam,
Dawes,	Jones, Phineas	Rich,	Van Voorhis,
Deering,	Jorgenson,	Richardson, D. P,	Wadsworth,
De Motte,	Joyce,	Ritchie,	Wait,
Dingley,	Kelley,	Robeson,	Ward,
Dunnell,	Lacey,	Robinson, James S.	Washburn,
Farwell, Sewell, S.	LADD,	Russell,	Watson,
Fisher,	Lindsey,	Ryan,	Webber,
FORD,	Lord,	Scranton,	West,
George,	Marsh,	Shallenberger,	Williams, Chas. G.
Godshalk,	McClure,	Sherwin,	Willits,
Grout,	McKinley,	Shultz,	Wood, Walter A.

NAYS—98.

*Aiken,	*Cook,	*Holman,	*Scales,
*Armfield,	*Cravens,	*House,	*Shelley.
*Atherton,	Davis, George R.	JONES, GEORGE W.	*Singleton, Jas. W.
*Atkins	*Davis, Lowndes H.	*Kenna,	*Singleton, Otho R.
*Barbour,	*Duester,	*Klotz,	*Sparks,
*Belmont,	*Dibble,	*Knott,	*Speer,
*Berry,	*Dibrell,	*Latham,	*Springer,
*Black,	*Dowd,	*Le Fevre,	*Stockslager,
*Blackburn,	*Ermentrout,	*Manning,	*Thompson, P. B.
*Blanchard,	*Evins,	*Martin,	*Tillman,
*Bland,	*Finley,	*Matson,	*Tucker,
*Blount,	*Forney,	*McKenzie,	*Turner, Henry G.
*Bragg,	Fulkerson, (Readj.)	*McLane,	*Turner, Oscar
*Buchanan,	*Geddes,	*McMillin,	*Upson,
*Buckner,	*Gibson,	*Mills,	*Warner,
*Caldwell,	*Guenther,	*Money.	*Wellborn,
*Carlisle,	*Hammond, N. J.	*Morrison,	*Wheeler,
*Cassidy,	*Hardenberg,	*Muldrow,	*Whitthorne,
*Chapman,	*Hatch,	*Oates,	*Williams, Thomas
*Clardy,	*Herbert,	*Phelps,	*Willis,
*Clark,	*Herndon,	*Phister,	*Wilson,
*Clements,	*Hewitt, Abram S.	*Reagan,	*Wise, George D.
*Cobb,	*Hewitt, G. W.	*Richardson, Jno. S.	Young.
*Colerick,	*Hoblitzell,	*Robinson, Wm. E.	
*Converse,	*Hoge,	*Rosecrans,	

Of which 105 Republicans voted in the affirmative, and 9½ Democrats in the negative,

Unless this precedent is at once condemned by the people it may lead to further sumptuary legislation of a meddlesome, annoying, and dangerous nature. The people of the United States are not school children to be subjected to the tyrannical rod of a Congressional schoolmaster, and the sooner they elect Representatives who will put an end to officious interference with their private affairs, the better it will be for their liberty and happiness.

III. Excessive Taxation.

TOTAL REVENUES AND SURPLUS.

The total revenues of the Government during the fiscal year ending June 30, 1881, were stated in the President's message of December 6, 1881, as follows:

From customs	$198,159,676 02
From internal revenue	135,264,385 51
From sales of public lands	2,201,863 17
From tax on circulation and deposits of national banks	8,116,115 72
From re-payment of interest by Pacific Railway Companies	810,833 80
From sinking fund for Pacific Railway Companies	805,180 54
From customs fees, fines, penalties, &c.	1,225,514 86
From fees—consular, letters patent, and lands	2,244,983 98
From proceeds of sales of Government property	262,174 00
From profits on coinage	3,468,485 61
From revenues of the District of Columbia	2,016,199 23
From miscellaneous sources	6,206,880 13
Total ordinary receipts	360,782,292 57

The ordinary expenditures for the same period were:

For civil expenses	$17,941,177 19
For foreign intercourse	1,093,954 92
For Indians	6,514,161 09
For pensions	50,059,279 62
For the military establishment, including river and harbor improvements and arsenals	40,466,460 55
For the naval establishment, including vessels, machinery, and improvements at navy-yard	15,686,671 66
For miscellaneous expenditures, including public buildings, light-houses, and collecting the revenue	41,837,280 57
For expenditures on account of the District of Columbia	3,543,912 03
For interest on the public debt	82,508,741 18
For premium on bonds purchased	1,061,248 78
Total ordinary expenditures	260,712,887 59
Leaving a surplus revenue of	$100,069,404 98

A STEADY INCREASE.

The steady increase of taxation may be seen by a glance at the following tables of internal and customs revenue during the past five fiscal years:

Year ending June 30.	Internal Revenue.	Customs Revenue.
1878	$110,581,624	$130,170,680
1879	113,561,610	137,250,047
1880	124,009,373	186,522,064
1881	135,264,385	198,159,676
1882	146,515,325	218,687,363

The result of this excessive and unnecessary taxation is an enormous surplus which will increase from year to year.

SOURCES OF TAXATION.

The sources of these revenues were admirably stated by Mr. Spofford in his *American Almanac* for 1879, as follows:

"About three-fifths of the amount for the support of the Government comes from the duties on imported commodities and two-fifths from internal-revenue taxes. The latter are raised almost wholly from luxuries; spirits, fermented liquors, and tobacco paying more than nine-tenths of the internal-revenue taxes. But in the taxes imposed upon imported commodities the rule is reversed, and the largest amount of revenue is derived not from luxuries, but from articles classed among the necessaries of life. An analysis of the customs receipts of the United States shows that the largest share of revenue is derived from the following commodities:

Articles taxed.	*Customs duties received.*
Cotton manufactures	$6,720,000
Wool and its manufactures	20,259,000
Flax and manufactures	5,270,000
Hemp and manufactures	1,532,000
Iron and Steel manufactures	3,778,500
Earthen and Crockery Ware	1,300,000
Glass Ware	800,000
Leather fabrics	2,668,000
Breadstuffs and Provisions	1,285,000
Rice	1,200,000
Salt	786,000
Wood manufactures	833,000
Sugar and Molasses	37,081,000
Tin and manufactures	2,460,000
	$86,035,500

"Here are over $86,000,000 of revenue derived from commodities in universal use, out of a total revenue of $131,000,000 in the year 1877, to which these figures apply. The same year the articles of luxury which paid any considerable revenue into the Treasury were the following:"

Articles taxed.	*Customs duties received.*
Diamonds, precious stones, and jewelry	$196,000
Dolls	110,000
Embroideries	902,000
Fans, feathers, flowers, &c.	829,500
Furs and manufactures of	491,000
China ware decorated	334,000
Glass plate and decorated	$1,000,000
Marble and its manufactures	271,000
Musical instruments	172,000
Opium	285,000
Paintings and statuary	89,000
Papier maché wares	391,200
Silks and silk manufactures	12,800,600
Spices, etc	820,000
Spirits and wines	5,627,995
Tobacco and cigars	4,364,000
Toys	125,400
Watches	288,593
	29,097,288

"It results from the above figures, which are fairly representative of the general average of duty collected from articles of luxury and necessity (omitting a multitude of minor articles), that much the larger percentage of the whole revenue is derived from articles entering into general consumption among the people."

* * * * * * * * * *

"The other great branch of revenue for the general government—the internal revenue receipts—shows the following proportions derived from the various objects of taxation for the fiscal year 1878:

Spirits	$50,420,815 80
Fermented liquors	9,937,051 78
Tobacco	40,091,754 67
Adhesive stamps	6,380,405 13
Banks and bankers	3,492,031 85
Penalties, &c	775,666 26
Total	$111,097,725 49

"This shows that 90 per cent. of the entire internal taxation of the Federal Government is levied upon articles of luxury, while the remainder, or about 10 per cent. is derived from the commercial and financial transactions of the people."

THE EVILS ARISING THEREFROM.

In a speech delivered in the House, May 5, 1882, Mr. RANDALL (Dem.) of Pennsylvania, called attention to the dangers which must naturally arise from such a surplus revenue. He said:

"It is equally true that excessive taxation, even when it is successful in securing excessive revenue, is ultimately destructive of the sources of labor from which it is drawn; while at the same time it engenders extravagance, corruption, and decay. For when the Government sets the example of extravagance, it is soon followed in every walk of life, and one does not need to be a prophet to foretell the general ruin which must inevitably result. Frugality and economy never destroyed any government, while they have built up the most powerful empires the world has ever witnessed.

* * * * * * * * * * * *

"The existing overflowing Treasury brings a demand for reduction of the tariff and internal-revenue taxes. In my opinion, in such a condition of our finances reduction of taxation should at once begin. Unnecessary taxation is injurious to the interests of the people in many directions. Government has no justification for the collection of burdensome taxes in excess of the sum requisite for the support of its proper administration. What have we seen in this Congress? The excess of our resources has induced the presentation of every conceivable scheme to deplete the Treasury, and our expenditures, unless checked in time, will reach enormous proportions and bring back again, as prior to 1874, a saturnalia of extravagance and disgrace.

"In the matter of taxation we are acting under a written Constitution. "Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States." I need not enlarge upon our traditional history in this regard, and it will be accepted as true that only at periods of great necessity and urgeney have excise or internal taxes been resorted to. Our present internal-revenue system grew up out of the necessities of the war, and when those necessities cease that taxation should disappear. When the framers of the Constitution granted the power to impose excise duties it was a point of serious dispute and was agreed to finally only as a resort in case the Government should be involved in war, and not to be exercised as a permanent mode of raising revenue.

"I will not enlarge upon this; I believe it to be incontrovertible, how ever men may change sides because of other considerations affecting other questio ns; and I

do not forget that Thomas Jefferson, the author of the Declaration of Independence and the founder of the Democratic party, brought about the repeal of internal or excise taxes as one of the very first acts of his admininistration as Presidant of the United States.

"I favor, therefore, as speedily as possible, a total abolition of our internal-revenue system, and I am ready to join hands with any and all in this House in favor of an equalization of our duties on imports.

* * * * * * * * * *

Our excess of revenue now approaches in amount the annual receipts from internal or excise taxes. If proper economy be exercised in expenditures they can be made to be within the limits of our ordinary resources of taxation, enabling us without jar or friction to repeal internal-tax laws, which are inquisitorial and offensive in the highest degree. These taxes reach vexatiously every citizen in his business, in his household, and in the affairs of every-day life until they have become almost unendurable. There is no longer an excuse, in my opinion for their continuance.

* * * * * * * * * *

"I did hope when this Congress assembled that before the adjournment of this session a very large reduction of internal taxation would have resulted from our labors. The Committee on Ways and Means seemed to favor a reduction of $70,000,000, but the fiat of a Republican Congressional caucus overruled that good intent. Thus the majority of the Representatives in this House of one political party, and of a party representing a doubtful majority of the people even at the time of its election, regulates the current of remedial legislation, and in this instance on a subject which should be non-partisan. Thus the opportunity of relieving our tax-annoyed and tax-burdened constituents may be lost.

"The reduction as now recommended by the Committee on Ways and Means reaches in great part those most able to pay, leaving the great body of consumers without relief. How long the latter will permit this state of things to continue will probably be determined at our next Congressional elections. With the repeal of internal or excise taxes will come a resort exclusively to duties on imports as the main supply of our resources, and I maintain if our expenditures be kept within just and reasonable bounds we can from this source derive adequate revenue for the administration of the Government in all its constitutional and legitimate functions.

Mr. TUCKER, (Dem.) of Virginia, spoke to the same effect on the floor of the House, June 27, 1882:

"Let the friends of revenue reform and the Democratic party stand firm. Economy in public expenses is our cardinal principle. Decrease of taxes another. Lighten the people's burdens. Decrease of revenue resulting from a decrease of taxes would diminish jobs and plunder and patronage. This is in the direction of true civil-service reform. The internal revenue system is a fearful nest, from which public patronage hatches the instruments for controlling elections in the States. We must labor to repeal the whole system. Duties laid with a view to the required revenue upon our largely increasing imports will suffice for an economical and efficient administration of the Government, and will less interfere with the freedom of political opinion in the country, now so much menaced by Federal patronage. Corruption, which is produced always by extravagance, which itself is induced by an overflowing Treasury, would be checked by a return to a strictly revenue system and an economical admin'stration of public affairs. The abolition of the internal-revenue system would break up those nests of Federal patronage which have infested the States for twenty years, and have been the source of more petty tyranny and of more interference with the freedom of elections by the patronage of the Federal power than has ever been known in the history of the country. With these principles and this policy the Democratic party will win a victory for right, justice, purity, liberty, and the Constitution."

This danger was admitted by the Republican Secretary of the Treasury in his last annual report, in which he said:

"In some quarters there is already talk of an overflowing Treasury, and projects are put forth for lavish expenditure, not only for the furtherance of public works of doubtful legitimacy and expediency, but in aid of enterprises no more than *quasi* public in character."

REDUCTION OF INTERNAL REVENUE—RELIEF FOR WEALTH—NONE FOR LABOR.

In view of this excessive surplus, both the President in his annnal message to Congress, and the Secretary of the Treasury in his last annual report, recommended a reduction of taxation.

The President said:

"It is a matter for congratulation that the business of the country has been so prosperous during the past year as to yield by taxation a large surplus of income to the Government. If the revenue laws remain unchanged, this surplus must, year by year, increase, on account of the reduction of the public debt and its burden of interest, and because of the rapid increase of our population. In 1860, just prior to the institution of our internal-revenue system, our population but slightly exceeded 30,000,000. By the sensus of 1880 it is now found to exceed 50,000,000. It is estimated that, even if the annual receipts and expenditures should continue as at present, the entire debt could be paid in ten years.

"In view, however, of the heavy load of taxation which our people have already borne, we may well consider whether it is not the part of wisdom to reduce the revenues, even if we delay a little the payment of the debt.

"It seems to me that the time has arrived when the people may justly demand some relief from their present onerous burden, and that by due economy in the various branches of the public service this may readily be afforded."

And the Secretary of the Treasury said:

"It is a matter of gratulation that the business of the country so thrives as to endure the enerous taxation that is upon it, and yet grow in volume, and apparently in profits, and yield to the Government a surplus over its needs. The result upon the public revenue is to embarrass this Department in disposing of the surplus in lawful way, and with regard to economy. * * * * Meanwhile the daily receipts from the community by the Treasury continue, the surplus over its needs increases, and money lies idle. It seems that the plan most just, for giving relief, is to reduce taxation, and thereby diminish receipts and surplus.

"The rapid reduction of the public debt and the increase of the surplus in the Treasury present the question to Congress whether there should not be a reduction in the taxation now put upon the people. It is estimated that, if the present ratio of receipt and expenditure is kept up, the public debt, now existing, may be paid in the next ten years. In view of the large sum that has been paid by the present generation upon that debt, and of the heavy taxation that now bears upon the industries and business of the country, it seems just and proper that another generation should meet a portion of the debt, and that the burdens now laid upon the country should be lightened."

Now how were these recommendations treated by Congress?

With a surplus of over $100,000,000 in the Treasury, after the settlement of all accounts of receipts and expenditures for the year ending June 30, 1882, and a well-founded expectation of a still larger surplus at the end of the current fiscal year, the Democrats in Congress sought to relieve in some degree the burdens of the people by proposing to reduce the internal-revenue tax. They believed that a reduction of $70,000,000 would leave a wide margin to meet any possible emergency. The Republicans, true to their instincts, wished to use this surplus in ex-

travagant appropriations, and with their characteristic skin-deep love for the people, so magnified from the stump to screen their schemes of jobbery, introduced a bill reducing the tax about $16,000,000, mainly upon *perfumeries, cosmetics, patent medicines, and bank-checks.* The Democrats were determined that the reduction should be upon those articles that contributed to the comfort of the laboring classes, and that such reduction should be material. Both parties were resolute, and the session was unnecessarily prolonged. The subject remains on the long list of important matters undisposed of, and will probably so remain until the advent of a Democratic Congress.

In further discussion of the subject Mr. Kelley, (Rep.,) of Pennsylvania, chairman of the Committee on Ways and Means, said, in alluding to the probable action of the Committee on Ways and Means:

"I say to the gentleman that I believe the committee will, within a fortnight, bring in a bill reducing the internal-revenue taxes from fifty, or from that to seventy-five millions of dollars; and when that is done it will be for us to see whether gentlemen will aid us in the good work of emancipating the South, for it is the South that is the largest sufferer by these laws.

"Mr. HOUSE. Will the gentleman's committee report a bill at this session?

"Mr. KELLEY. I will not help you to open the flood-gate by which your principal source of revenue to the Union will be lost. I will never consent to such hasty and inconsiderate legislation. I will go systematically to work with you to get rid of the whole system which Jefferson denounced as an infernal one, and as an unnecessary burden upon the people."

But the expectations here raised in the minds of the people were never realized. The committee reported a bill which was an absurdity both in the quality and amount of the reduction.

As stated by Mr. Kelley on the 21st of June—

"The bill in question proposes to make a reduction of less than $17,000,000—in exact figures, $16,892,880—to take effect immediately, and of about $6,000,000 to take effect on the 1st of May, 1883."

The contrast is so marked that it speaks for itself. We leave the voters and tax payers to draw their own conclusions.

A TEST VOTE IN THE HOUSE.

LEAF TOBACCO.

Mr. DIBRELL, (Dem.,) of Tennessee, moved in the House, Monday, March 6, 1882, the suspension of the rules and the passage of the following bill:

"A bill to repeal the sixth clause of section 3244 of the Revised Statutes, relating to the sale of leaf-tobacco.

"*Be it enacted, &c.,* That so much of the sixth clause of section 3244 of the Revised Statutes of the United States as imposes a fine or penalty on any farmer or producer of tobacco who may sell the same to a consumer be, and the same is hereby, repealed; and hereafter all farmers or others producing tobacco shall be allowed to sell tobacco of their own or tenants' production without any license or penalty whatever."

Mr. ROBINSON, (Rep.,) of Massachusetts, demanded a second, which was ordered. In the brief debate which followed, Mr. DIBRELL said:

"The passage of this bill, according to the report of the Commissioner of Internal Revenue, will only reduce the revenue about six hundred dollars. During the last fiscal year only five persons took advantage of the law and obtained licenses under it, yielding a revenue to the Government of $583, while it cost the Government $10,000 to enforce the law.

"The present law is a great hardship on farmers in the interior who raise small crops of tobacco and who have no licensed dealers in their vicinity to whom they can sell it. The passage of this bill will enable them to sell their small crops of tobacco.

"I do not think that any sensible man who will look at the matter aright will be disposed to continue this hardship on farmers and harass and annoy them by imposing this tax upon them."

Leaf tobacco is the only product of agriculture which the producer is not allowed to sell freely in open market, and the oppressive and exceptional nature of the law and the arbitrary means taken to enforce it has rendered it odious. The demand for repeal comes from all the tobacco-growing States.

Mr. CURTIN, (Dem.,) of Pennsylvania, presents in masterly words the injustice of the law:

"Mr. Speaker, I will present a case which might readily occur, and it shall not be located in the South, where the production of tobacco is one of the great staple industries, nor will I draw this question geographically. I will suppose that a farmer in Lancaster County, Pennsylvania, where the tobacco crop this year is estimated at $4,000,000, may choose to cultivate four acres of ground which he owns and where he lives. From one acre he may produce potatoes, from another turnips, from a third corn, and from the fourth tobacco. The sweat of his face falls upon all alike from the time he puts the seed in the ground until his crop is matured and mother earth renders back to him the reward of his labor. The crop raised by this man, except that upon one acre, is as free as the air he breathes."

"Beneficent Providence gives to all alike the earlier and the later rains, with the warmth necessary to give productive earth all the stimulants which will reward his labor. All the employments of nature, the appliances, care, attention, and work, come to all that he has placed in the earth in full confidence of return. The man is no doubt a good citizen—for the people of Lancaster County are generally law-abiding and industrious—and pays all his dues to the Government and honestly discharges all other personal and relative obligations. He takes the product of the three acres in corn and potatoes and turnips and sells them where he can get the best market, and applies the proceeds to the support of himself and his dependants, but the product of the acre of tobacco he dare not sell except to the licensed agents of the Government.

"The Federal power of this great people, having its seat in this capital, with all its appliances and appointments, watches that tobacco as it grows and unfolds its leaves and is prepared for the harvest in its maturity, and through its agencies, its collectors, its licensed dealers, its privileged class, declares that as to that production he is not a free man, and that he shall sell and sell only where this central Government directs, and by and through the agents it has licensed. I can conceive of no reason why the iron hand of this Government should be laid upon that acre and its production while it does not rest upon the other three; nor why, according to our great living policy of right and equality, he should not be at liberty to cultivate and sell the product of the soil where he pleases. And as our Government, which is an emanation from the people, should be parental, we disturb this harmony and that generous quality by an espionage searching as are the laws to which I have alluded, and the citizens who discharge the duties imposed by such laws become as distasteful and odious as was the tithe-gatherer in England, the gauger, excise-man, and agent in Ireland, and the oppressive exactions made by the farmers of the revenue from the Christian people of the provinces of Europe dominated by the Turk."

Mr. HATCH (Dem.) of Mo., said:

* * * * * * * * *

"Under the existing law on this subject there have occurred some of the most outrageous hardships ever known in this country under any law enacted by Congress. Men living long distances from the Federal courts have been dragged from their homes from one hundred to three hundred miles to answer prosecutions for selling two or three pounds of tobacco to a neighbor, to be used as a cure for hog cholera or something else of that kind.

"I send to the Clerk's desk to be read a statement of a single instance which recently occurred in Saint Louis. It is copied from the *Post-Dispatch* of January 5, 1882. And this is not an extreme case. Hundreds like it have occurred in Missouri in the last two or three years.

"The Clerk read as follows:

JUSTICE—IT THROWS AN OLD MAN ON A BEGGAR'S RESOURCES IN A STRANGE CITY.

"Well, here I am, an old man in a strange city, and without a cent of money in my pocket, and two hundred miles away from home," said Isaac Murray, as he stood in Jailer Ryan's office at the four courts this afternoon almost in despair, after serving thirty days in jail, a sentence pronounced by Judge Treat, for selling some leaf-tobacco without license. "I live in Macon county in this State, and am a farmer by occupation. Nearly three months ago I was arrested by the United States marshal for selling a few strips of tobacco without a license. I have only one arm and I'm almost disabled. I'm now going on my sixty-sixth year. At my trial I admitted selling the tobacco for a few dollars, and was sent to the city jail for thirty days. The time expired this morning, and I was discharged, but Lord knows I wish I could stay there, for I'd get something to eat and a place to sleep at least. I don't know a soul in this city, and what am I going to do? I've been over to the mayor's office but he won't do anything for me. I was at the United States court, but the deputy-marshal said he wouldn't let me see the judge, and God knows I don't know what to do when night comes on if I don't get assistance from some quarter. If I could get back to Macon County I would be all right, but it looks now as if I'd have to starve right here in the city's streets." He was advised to go to the United States marshal himself, and turning his coat-collar up about his weather-beaten face he started out in the sleet.

The question was taken on Mr. Dibrell's bill, and there were—yeas, 113, nays 91, as follows:

YEAS—113.

*Aiken,	*Davidson,	*Hutchins,	*Scoville,
*Armfield,	*Davis, Lowndes H.	Jacobs,	*Shackelford,
*Atkins,	*Deuster,	JONES, GEORGE W.,	*Simonton,
*Barbour,	*Dibrell,	*Jones, James K.,	*Singleton, Otho R.
Belford,	*Dowd,	*Kenna,	*Sparks,
*Belmont,	*Dunn,	*King,	*Speer,
*Beltzhoover,	Dunnell,	*Klotz,	*Springer,
*Black,	*Ellis,	*Knott,	*Stockslager,
*Blanchard,	*Evins,	LADD,	*Talbott,
*Bland,	Farwell, Sewell S.,	*Latham,	*Thompson, P. B.,
*Blount,	*Finley,	*Le Fevre,	*Tillman,
*Buchanan,	FORD,	*Manning,	*Tucker,
BURROWS, Jos. H.,	*Forney,	*McKenzie,	*Turner, Henry G.,
*Caldwell,	Fulkerson (Readj.,)	*McLane,	*Turner, Oscar,
*Chalmers,	*Garrison,	*McMillan,	Updegraff, Thos.,
*Chapman,	*Geddes,	*Mills,	*Upson,
*Clardy,	*Gibson,	*Money,	Valentine,
*Clark,	*Gunter,	*Mosgrove,	*Vance,
*Clements,	*Hall,	*Moulton,	*Warner,
*Cobb	*Hammond, N. J.,	*Muldrow,	*Wheeler,
*Colerick,	*Hardenburgh,	MURCH,	White,
*Converse,	*Hardy,	*Nolan,	*Whitthorne,
*Cook,	HASELTINE,	*Oates,	*Williams, Thomas,
*Cox, Samuel S.	*Hatch,	*Phister,	*Willis
*Cox, William R.	*Herbert,	*Reagan,	*Wise, George D.,
*Covington,	*Hewitt, Abram S.,	*Richardson, John S.	*Wise, Morgan R.
*Cravens,	*Hewitt, G. W.	*Robertson,	
*Culberson,	*Holman,	*Rosecrans,	
*Curtin,	*House,	*Scales,	

NAYS—91.

Aldrich,	BRUMM,	Cannon,	Dawes,
Anderson,	Burrows, Julius C.,	Carpenter,	Deering,
Barr,	Butterworth,	Chace,	De Motte,
Bayne,	Camp,	Crowley,	Dingley,
Brewer,	Campbell,	Cullen,	Dwight,
Briggs,	Candler,	Cutts,	Fisher,

Grout,	Marsh,	Ranney,	Spooner,
Guenther,	Mason,	Ray,	Steele,
Hammond, John,	McClure,	Reed,	Stone,
Haskell,	McCoid,	Rice, John B.	Taylor,
Hawk,	McCook,	Rice, Wm. W.	Thompson, Wm. G.,
Hazelton,	McKinley,	Rich,	Townsend, Amos,
Henderson,	Miller,	Richardson, D. P.	Tyler,
Hepburn,	Moore,	Ritchie,	Updegraff, J. T.,
Hiscock,	Morse,	Robinson, George D.,	Wadsworth,
Horr,	Norcross,	Robinson, Jas. S.	Wait,
Hubbs,	Orth,	Russell,	Walker,
Humphrey,	Pacheco,	Ryan,	Ward,
Joyce,	Page,	Shallenberger,	Washburn,
Kelly,	Payson,	Skinner,	Webber,
Ketcham,	Peelle,	Smith, A. Herr,	West,
Lacey,	Pound,	Smith, Dietrich C.,	Willits,
Lewis,	Prescott,	Smith, J. Hyatt, Ind,	

So, two-thirds not having voted in the affirmative, the bill was not passed.

Notwithstanding this decided vote in favor of the bill, so clearly indicating the wish of the House, the Committee on Ways and Means did not regard this vote as instructions, and did not incorporate its provisions in the Sham-Reduction of Internal Revenue bill.

On this same subject Mr. TUCKER (Democrat) of Virginia said on the floor of the House, June 27, 1882:

"Tobacco is the only product of agriculture which is taxed by this Government, and to deal in which freely by the producer is a crime. His freedom to trade in his own hard-earned product is prohibited that the Government may get its tax. And what is the tax?

"The total crop of tobacco for 1880 was 427,000,000 pounds, of which 227,000,000 was exported and not taxed, valued at, say $42,700,000.

"The taxes collected on it last year were about $42,000,000, or 100 per cent. on the whole crop, and more than 200 per cent. on that not exported But this does not present the whole case. Tobacco ranges in price from 3 to 50 cents per pound. The average price is 10 cents per pound. The same tax is laid on all, and as the low-priced is consumed by the poor, and the high-priced by the rich, it follows that while the highest-priced pays 16 cents tax per pound, or from 50 to 100 per cent. revenue, the lowest-priced pays the same specific tax, or over 500 per cent. ad valorem, The poor pay five times as much in proportion to the value of the article consumed as the rich. Is not this a gross injustice on the various classes of consumers?

"But this tax presses on the producer. It is true the consumer ordinarily pays the tax. If it is a low tax, he may be said always to do so. But as the tax becomes higher the producer, in order to hold on to the market, will have to abate his price, thereby paying the tax in part. But when the market can no longer be retained without a loss the production will cease wholly.

"And this has been the result in parts of Virginia where the low-priced tobacco is raised. Production has ceased. You have taxed the planter out of his right to use his own land for the growing of tobacco. You have lessened the value of his land and impaired his title; but his outcry for the repeal of this tax you will not heed.

"You tell him it is a luxury. Is the tobacco of the poor as great a luxury as that of the rich? Why, then, tax the rich man's tobacco at one-fifth the rate you impose on that of the poor? Do you mean to forbid a luxury to the poor which you permit to the rich?

"But what right has this Government to forbid production by the owner of land in a State on the ground that it is a luxury? Has this Federal Government the right to pry into the industries permitted by the States and set up one and put down another? While it protects manufacturers in their products by bounties exacted as a tribute from the planter, can it strike down the planter by taxing him out of his right and power to produce at all? Is this equality and justice? Is it not rank injustice?

"We, the Democrats of the House, asked the repeal of this tax—this tax so destructive of the products of the planter, so unjust to the consumer. The banks

asked the repeal of the tax of 12½ per cent. on the annual interest of their capital. The repeal we asked was of a more grievous burden of from 100 to 500 per cent. on the annual crop of the planter. You lift the light tax from moneyed capital and leave the heavy tax on the landed capital of the planter. Reverse the case. What would banks think if 100 per cent. was laid on the interest of their capital, or 400 per cent.? Tobacco would gladly exchange with moneyed capital and take the tax of which capital complains to be relieved from that which you leave tobacco to bear. A party caucus of the Republicans forbade the repeal of the tax on tobacco, but required the repeal of the tax on bank-capital. And this bill is the result—to lift light burdens from the banks and their customers and leave heavy burdens on the planter and the consumers of his tobacco."

MR. COX'S SUMMARY.

This whole controversy in the House was reviewed and stated in concise form by Mr. Cox (Dem.) of New York, who said, in a speech delivered June 27, 1882:

"Mr. SPEAKER: Because of some indefinite expressions yesterday, I desire briefly to emphasize now the reasons why I cannot vote for this measure. My reasons are as follows:

"1. That the sum released—some sixteen millions—from the grasp of the tax-collectors is so inconsiderable as to be an insult to those who desire to reduce our inordinate taxes.

"2. That the amount released discriminates against industries and relieves capital and capitalists. It relieves nine millions of capital tax, bank taxes—and as to the rest it is nothing in comparison with the exactions.

"3. The relief on perfumery is but an "ounce of civet, good apothecary, to sweeten the imagination," and is a sample of the little good compared with such an immense opportunity.

"4. That the internal-revenue system is used to control the freedom of elections, and is a part of that mercenary and terrorific system which should have been destroyed by legislation shortly after the emergency which called it into being. It is expensive, inquisitorial, and odious. It is undemocratic and unrepublican. It is corrupting. In the absence of a reform in the tariff, postponed for two years by the commission, this is the only feasible way of reducing taxation; and this is a signal failure, which, if adopted, will be an impediment to further reforms and reduction.

"5. The tax reduced here does not reduce the officials now used in the collection of taxes by any one person. It keeps up every part of the machinery."

Near the close of the session an attempt was made in the Senate by some of the Republican leaders to manufacture a little campaign thunder by calling up what was known as the "Sham Internal Revenue" bill which had passed the House, knowing full well it was too near the close of the session to carefully consider that important subject; but the Democratic Senators promptly accepted the challenge and more than deprived their opponents of the partisan advantage which they sought, as may be seen from the following extracts from speeches made July 13, 1882.

Senator PENDLETON (Democrat) said:

"Mr. President, there is no disposition to oppose any measure for the reduction of taxes, and the gentleman will find that those who sit on this side of the Chamber will stay with him as long as he desires it in order to accomplish that end. But he will find also when after seven months he now first brings in a bill for the reduction of taxes, and then limits it in such a way as to be a special act of favoritism to particular interests, and not for the relief of the people, that he will not be able to call it up and pass it without fair consideration and fair argument.

This bill, so far as this side of the Chamber is concerned, will be taken up with our consent, freely and readily, at the proper time; and when it is taken up

we will go with the gentleman who is the manager of this bill, not only in reference to the particular subjects he has indicated, but all the general range of taxation everywhere; we will go him better in endeavoring to relieve the people from the burdens under which they now labor."

Senator BAYARD (Democrat) said:

"Mr. President, I am perfectly willing to begin at two o'clock, or now, at twenty-five minutes of two, to take up this tariff question as it has been presented by the authority of the majority of the Committee on Finance. That majority of the committee is understood. The bill they have brought in is not the view, is not the opinion of the minority of that committee. We propose to go much further in reduction. We propose to make reductions real and actual in the way of taxation, and to lift off burdens; and not simply to grant favors. That is the intention; and the sooner that commences the better for my satisfaction

"I agree it is not a pleasant season of the year to work; I agree it is not particularly favorable for wise action to begin the work on the verge of a political canvass for the purpose of gaining some small party or temporary advantage. We are told frankly that some of these changes in the tariff laws are to be temporary, That is not the way to deal with a tariff; that is not the way to deal with a tax. As great a vice as the law can contain as to taxes is the vice of instability. It is the dread of the manufacturer, of the merchant, and of the true statesman. It is only a resort which cannot be justified, and would not be asked for except for certain party ends.

"Therefore it is, sir, that I am perfectly indifferent as to which measure the majority shall see fit to address itself to. I will vote to take up the tax bill, but here in the presence of the committee, and in reply to what has fallen from the Senator from Minnesota and the Senator from Ohio, I simply state that there has not been one-half minute's delay in the consideration of this measure by any member of the Committee on Finance."

Senator BUTLER (Democrat) said:

"The majority have not the slightest idea of granting real relief to this country in the reduction of taxation; and yet we are taunted on this side of the Chamber because at the eleventh hour we do not lay aside more important business to take up and permit the majority to pass a bill which shall be a sop to Cerberus, a tub to the whale and nothing else. I say to the Senator from Minnesota and to the Senator from Vermont and the Senator from Ohio that unless I am much mistaken we will make those Senators sick before this discussion is through, as to the reduction of taxation."

Senator SAULSBURY (Democrat) said:

"There is no mistaking the fact and there is no misleading the country on this question. The Democratic members of the Senate who resisted the commission bill placed their opposition distinctly on the ground that it was a measure intended on the part of some of the advocates of it to postpone the consideration of the tariff question and the reduction of taxation under it, and at the conclusion of that debate all they had said was verified by the open and manly declaration of the Senator from Iowa, who proclaimed in the presence of his colleagues in this Chamber and in the hearing of his fellow-members of the Republican party that that was the effect—to postpone the consideration of the tariff question and the relief of the country from taxation for two years.

"Now, however, our Republican friends, seeing the blunder they have made, finding that they are face to face with a campaign that may determine the complexion of the other House of Congress and effect to some extent the complexion of this body in the next Congress, becoming alarmed at the folly which they committed when they pleaded with their colleagues in the other House to send a bill here not for the relief of the people from taxation, but for the purpose of relieving corporations, not for the purpose of giving relief to the tax-payers of the country, but for the purpose of increasing the revenues of the manufacturing interests of the country and the banking capital of the country—having

become alarmed at the temerity of the other House, they come in now at the dictation of a Republican caucus, in order to save themselves from the defeat which they saw was inevitable, and propose—not with sincerity, not because they desire to reduce taxes, but for the purpose of saving themselves from overwhelming defeat—that this bill shall be taken up. They contradict their own position of only a few weeks ago in reference to this whole question, and now seek to throw the responsibility of any delay in the adjustment of the tariff revenues upon this side of the Chamber simply because we tell them to wait until two o'clock in order that some measures on the Calendar may be passed in the meantime.

"Mr. WINDOM. It is after two o'clock now.

"Mr. SAULSBURY. I know it is, but the remarks of the Senator from Minnesota and some of his associates on that side of the Chamber have justly provoked criticism. While they speak of certain ideas in which we are enlisted their own record stares them in the face and shows that it was their purpose, object, and intent, by the appointment of a commission to revise the tariff, to evade the duty which had devolved on them as the majority party of Congress; and now, having become alarmed, they come in and seek to atone for their own past dereliction. That is the whole case. There is no disguising the fact; the country will understand it. We have some little sense in the Senate of the United States; but our constituents have got as much sense as we have, Senators. They have merely selected us out of the great body of the people to come here to represent them, but they understand these questions just as well as we do. There are men in every one of our States that comprehend the tariff question just as fully as any of us. They understand the motives that prompt the Republican majority of this Senate at this late day to come in here now and attempt to hoodwink them by proposing a revision of the tariff.

"We will join you, however, Senators; we will go as far as any of you will go for a reduction of taxation and the relief of the people. I am glad your proposition has come here.

"I said in the speech I made on the tariff commission bill that the highest duty devolving on Congress at the present session was to reduce taxation, and that we ought to stay here until we had done it, and if we had not sense enough to do it we ought to resign and let men come here who would do it. That is my sentiment yet, and I am willing to stay here during the hot months of August and September, if necessary, to relieve the people of this country of the onerous taxation which your party has placed upon them, and which up to the present hour it has persistently refused to relieve them from. I will join you and so will the great body of the Democrats on this side of the Chamber join in a reduction of taxation, but we want to make that reduction so as to give relief to the people, and not to be in the interest alone of national banking and other banking institutions and corporations. We will go as far as the farthest towaad the relief that the people demand, and we are only glad that you have waked up, not through any conviction of your judgment, but by an appeal to your fears as politicians, to do your duty."

Senator VEST (Democrat) said:

"The whole of it amounts simply to this, in plain English: The press of the country, the people of the country, in plain vernacular have told the Republican party, 'You must not leave the capital without giving us relief from taxation;' and now, at the close of the session, they seek to put us in the position of resisting this bill in order that they may go into the canvass and say, 'We attempted to relieve the people, and the Democratic party would not permit us to do it.' I say to gentlemen very respectfully, I am prepared to stay here until fall, to stay here until after the election has determined the issues between us; and when they vote for a decrease of taxation we will vote for a larger one, and we will see how soon the newly-found zeal of the Republicans on this floor will last in a contest of that sort."

Senator WILLIAMS (Democrat) said:

"Mr. President, I am much more anxious to vote than I am to make a speech on the subject. It has been eight months since there was a proposition in the Senate looking to a reduction of taxation.

"Mr. ALLISON. It has beensix years.

"Mr. WILLIAMS. I am speaking of this session of Congress. In the beginning of the session, after the President had told the Congress of the United States that the condition of the Treasury was such as to justify the country in expecting a reduction in taxation, one had a right to expect it to be done at this session. But a bill was brought in here which we upon our side asserted in the very beginning was to postpone a settlement of the whole question for one or two years. That bill was resisted, with but one ortwo exceptions, by the whole Democratic party on this floor; but the Republican party triumphed; they carried that proposition; they appointed their commission. We do not know what the result will be. This whole tariff. which we denounce as an abomination, as an outrage, was the work of the Republican party; it was put upon the people by them. We were urgent to reduce taxation. They were postponing our proposition; and now, after eight months have been wasted, at the very heel of the session, when the dog-days are approaching, when every man in both Houses of Congress has been hoping to get to a cool retreat during the months of August and September, here comes up a proposition for an entire revision of our revenue laws, both external and internal. As one who has urged such measures upon Congress from the very beginning, I accept the gauntlet which has been thrown down. I will walk into the ring and meet the gentlemen, and will stay during the whole dog-days and until the November elections if necessary.

"I am ready to vote at once to take up the little revenue bill and go into this discussion. We cannot get a worse tariff than we have. While it subjects us to a great deal of personal inconvenience, to be consistent, to be right, to be true to my own convictions, I will vote, gentlemen, to take up your proposition at once. I am glad that you have offered it, even at this late hour, for I know what has brought it here. I know what has done it. You placed yourselves upon record as in favor of high protection, as in favor of protection for protection's sake. Even, as asserted by some of the leaders, if there was no public debt, if there was no revenue, if there was no pension list to pay, still you are for protection.

"Your party is upon record upon that idea, and you have heard the distant rumbling of the popular thunder as it is rolled from the plains over Kansas, Nebraska, Iowa, Illinois, and Indian until its tones are heard in the capital of the country, and you are determined before the session adjourns to make some atonement for your past conduct. I accept your proposition gladly. Let me say to my Republican friends that you do our side great injustice when you intimate for a moment that we are not willing to take it up. We enter the arena with you and we will make you sick of it before you are done. If you will go as far as we will in reducing taxation upon the people we shall have done a great public benefit during this session of Congress, and it will be memorable always hereafter."

On the subject of unequal distribution of taxes, Senator BAYARD, (Dem.) said July 14, 1882:

"The Constitution of the United States, the constitution of every State in the Union, I believe of every civilized state, written or unwritten, provides that private property may be taken for public use upon just compensation being rendered therefor; but where was the converse of that principle ever admitted—that public property can be taken for private use? There is the heresy, there is the danger. Into that I do not say criminally, I do not say unpatriotically, but naturally and selfishly, I believe a favored class in this country have entered, so that to-day an unequal distribution of the burdens of taxation rests upon the American people. They have been unjust as between ourselves, and they are dangerous and deleterious even to those in whose behalf they have been laid. They are imposing to-day a strain upon our social and political fabric which should not be continued."

On the 17th of July, Senator JOHNSTON, (Dem.) in a speech upon this same bill, said:

"I must be allowed to express my astonishment at the Senator from Ohio. He

proposes, as I understand, to benefit the Irishman who smokes tobacco. If that is his object it would seem that the natural way would be to reduce the tax on tobacco itself. But the Senator says: "Oh, no; I will leave the tax on tobacco, but I will reduce it on the match with which the Irishman lights his pipe." That is his way of getting at the object of benefiting the Irisman who smokes."

Senator GEORGE, (Dem.) said, during the debate of the same day:

"Our free institutions are based upon the theory of the equality of all citizens before the law, equality in civil and political privileges, equality in the burdens and benefactions of government. This equality, as the American people understand it and mean to have it understood and acted on by their servants, must be actual, not theoretical merely—a living, acting, operating principle, originating, guiding, and controlling all legislation and all governmental action. It recognizes inequalities in the conditions of men arising from a difference in natural endowments, in the energies, in the activities, and self-denial of men. It does not ignore that the gifts of fortune are frequently but the acquisition of superior ability, greater exertions, and a more complete self-denial; and that the misfortunes of life are too often traceable to the faults or mistakes of the unfortunate. But, sir, it requires so far as the action of government is concerned that every citizen shall be treated exactly alike, and that every one shall be secured in the fair and equal opportunity to work out his own destiny, to gain for himself that competence and independence necessary for his happiness."

Senator BECK (Democrat) said upon the same occasion:

"My relief to the Irishman who smokes a pipe, for whom the Senator from Ohio seems to be so nervously anxious, will give him more relief on a single pound of tobacco than the relief that the Senator proposes to give by taking the tax off matches will give him in a year, for a pound of tobacco will last him a week if he is a moderate smoker, and a half dozen boxes of matches will last him fifty-two weeks; 6 cents a pound on tobacco will give him fifty-two times the relief you propose to give him. I want no child's play about that.

"Matches a burden! Why, sir, we are drawing over $3,000,000 a year from that single item. Nobody feels it, nobody knows anything about it, nobody is oppressed by it, nobody complains of it. But that was to be paraded as a great benefit to the Irishman who smokes a pipe, and all the poor men of the country were to be persuaded that they had been given immense relief, while the tax on their tobacco is to be kept up, the tax on their whisky is to be kept up, and every thing else is to remain heavily burdened, their blankets are to be still taxed 100 per cent., the railroads upon which they travel are to be taxed 100 per cent. in the interest of the Bessemer steel monopolies, and yet Senators gravely pretend that we are going to give relief by reducing paltry taxes."

On the 19th of July, a vote was reached on an amendment to the pending bill, which proposed to reduce the tax on manufactured tobacco, commencing January 1, 1883, to 10 cents per pound. The vote was as follows:

YEAS—29.

*Bayard,	*George,	Jones of Nevada,	*Vance,
*Beck,	*Gorman,	Kellogg,	*Vest,
*Butler,	*Groome,	*Maxey,	*Voorhees,
*Call,	*Grover,	*Morgan,	*Walker,
*Camden,	*Hampton,	*Pugh,	*Williams.
*Cockrell,	*Harris,	*Ransom,	
*Coke,	*Johnston,	*Saulsbury,	
*Davis of W. Va.,	*Jonas,	*Slater,	

NAYS—26.

Aldrich,	Conger,	Logan,	Plumb,
Allison,	*Davis of Illinois,	McDill,	Sawyer,
Anthony,	Dawes,	Mahone, Readj.	Sherman,
Blair,	Ferry,	Miller of Cal.,	Van Wyck,
Cameron of Pa.,	Harrison,	Miller of N. Y.,	Windom,
Cameron of Wis.,	Hawley,	Mitchell,	
Chilcott,	Hoar,	Morrill,	

In other words, 27 Democrats and 2 Republican voted to reduce the tax, while 24 Republicans; 1 Readjuster, and 1 Democrat opposed it. It is not, therefore, in order for Republicans to attempt to steal any more partisan advantage by professed friendship for the Irishman and his pipe.

On the 22d of July, a vote was taken on an amendment proposed by Senator VEST, which was to add to section 2 the following proviso:

"*Provided*, That no farmer or planter, nor the executor or administrator of such farmer or planter, nor the guardian of any minor, shall be required to pay a special tax as a dealer in leaf-tobacco, or as a retail dealer in leaf-tobacco, for selling to consumers or others tobacco produced by said farmer or planter, or by said executor, administrator, or guardian, or received by either of them as rents from tenants who have produced the same on the land of the said farmer, planter, or minor; and all laws and parts of laws in conflict herewith are hereby repealed: *And provided further*, That nothing herein shall be so construed as to authorize any such farmer, or planter, or executor, administrator, or guardian to sell tobacco, by peddling the same, or to appoint or employ others to sell tobacco for him, without the payment of the special tax."

In a speech upon this amendment Senator VEST said:

"Of all the things that benefit the human race the productions of agriculture should be free. If there is any thing in which by divine command there is prescriptive right and title to the producer, it is in the fruits and productions of our mother earth. To-day in this bill is a provision which says to the man who raises tobacco by his toil and by his attention 'You shall not sell it to whom you please-You may sell any thing else which you may have, but when you come to this we put our ban upon it and we say that you shall only sell it to the licensed dealers; that no matter what is the expense of travel, of time, of money, you must hunt up the licensed dealers in leaf-tobacco before you may part with the product of your own toil.' I say it is infamous.

"I want the record to show the people of this country whether the dominant party in this Chamber and in this Government are willing to take the tax off of aggregated capital, to make pretentious speeches in regard to protecting the laborers of the country, and at the same time strike down the great principle upon which this Goverment is based: Equality to all, equal rights to all; the Government shall not be used either as a means of oppression or of undue protection to any class or to any individual."

The vote was as follows:

YEAS—23.

*Brown,	*Farley,	*Jonas,	*Vance,
*Call,	*George,	*Jones, of Florida,	*Vest,
*Camden,	*Grover,	*Maxey,	*Voorhees,
*Cockrell,	*Hampton,	*Morgan,	*Walker,
*Coke,	*Harris,	*Pugh,	*Williams.
*Davis, of W. Va.,	*Jackson,	*Ransom,	

NAYS—28.

Aldrich,	Conger,	Hoar,	Morrill,
Allison,	*Davis of Illinois,	Ingalls,	Plumb,
Anthony,	Dawes,	Kellogg,	Rollins,
*Bayard,	Frye.	Logan,	Sawyer,
Cameron of Pa.,	Hale,	McMillan,	Sherman,
Cameron of Wis.,	Harrison,	Miller of Cal.,	Van Wyck,
Chilcott,	Hawley,	Miller of N. Y.,	Windom.

Being 23 Democrats in the affirmative and 26 Republicans and 2 Democrats in the negative.

That same day Senator BECK (Dem.) proposed the following amendment to section 2 of the bill, viz:

"*Provided*, That farmers and producers of tobacco may sell at the place of production tobacco of their own growth and raising at retail, directly to the consumer, to an amount not exceeding $100 annually."

The vote was as follows:

YEAS—24.

*Beck,	*George,	*Jones of Florida,	*Ransom,
*Butler,	*Gorman,	Kellogg,	*Vance,
*Call,	*Hampton,	Mahone, (Read.)	*Vest,
*Camden,	*Jackson,	*Maxey,	*Voorhees,
*Coke,	*Johnston,	*Morgan,	*Walker,
*Farley,	*Jonas,	*Pugh,	*Williams,

NAYS—23.

*Bayard,	Dawes,	Ingalls,	Plumb,
Blair,	Frye,	Logan,	Rollins,
Cameron of Pa.,	Hale,	McDill,	Sawyer,
Cameron of Wis.,	Harrison,	Miller of Cal.,	Sherman,
Chilcott,	Hawley,	Mitchell,	Windom.
Conger,	Hoar,	Morrill,	

Being 22 Democrats, 1 Republican and 1 Readjuster in the affirmative, against 22 Republicans and 1 Democrat in the negative.

In a speech delivered July 26th, Senator BECK explained very clearly the nature of the contest over this bill:

"When this little bill came from the House it was so insignificant that I confess I had a contempt for it. I endeavored in the Committee to amend it by offering most of the amendments which the Senator has now read, legitimate amendments, proposing a reduction of the tobacco tax and giving other privileges to the producers of the country. I was voted down in committee, of course, by the majority led by the Senator from Vermont, and his little bill was brought before the Senate on the 6th day of July, confining itself simply to bank taxation, matches, and proprietary medicines. That bill was denounced by all intelligent men of all parties in the country as a thing utterly unworthy of the American Congress, and coming here too from the House of Representatives after they had passed a resolution to adjourn on the 10th of July, which was lying on our table when their bill came.

"The Republican caucus saw what a miserable abortion it was; it met and ordered that committee to take that bill off the Calendar and add to it a reduction of the duty on sugar and on other things, and the chairman of the committee came in next morning after the caucus gave its order and took the bill back to his committee and reported it the next minute in accordance with the caucus order. Then his bill for the first time assumed decent proportions, and was of course open to fair amendments. On the amendment that I offered for the reduction of the tobacco tax to 12 cents a pound the Senate agreed with me. I offered another amendment to give the producers of tobacco in the remote parts of the country the right to sell to the extent of $100 the product they were raising. That raised a great hue and cry from the manufacturers, but it will save hundreds and thousands of people from persecution in the courts of the United States, and will not injure the revenue one dollar, and it never did from 1864 to 1872, when these gentlemen saw fit to deny the producers that right, a right that they have, as I contend, to sell the products they raise on their own farms and gardens. The Senate agreed with me in that.

During further consideration of the bill on the 4th of August, Senator HARRIS (Dem.) said:

"The bill as it came to us from the House proposes to relieve banks, bank depositors, proprietors of patent medicines, perfumery, &c., and the manufacturers of, and dealers in, and perhaps to some small extent the consumers of friction matches; and there the measure of relief, as proposed to be extended by the action of the House, stopped. There is a very small class of persons interested in or benefited by this reduction of taxation.

* * * * * * * *

"Now, I beg Senators to pause for one moment to consider what proportion of the American people are interested in or benefited by taking the tax off bank capital or the two-cent stamp tax off bank checks. Will it average one in 10,000 of the 52,000,000 of the American people? What proportion of the people of this country are particularly interested in or benefited by reducing or relieving altogether from taxation patent medicines and nostrums of that character?

"I undertake to say that the whole American people, now numbering about 52,000,000, are interested in and benefited by a reduction in the tax upon salt, upon iron, and the manufactures of iron; upon steel, and the manufactures of steel; upon the manufactures of cotton and the manufactures of wool. The cost of the tools of the mechanic and the day laborer, the implements of the farmer, are all more or less dependent upon the tax imposed upon iron and steel and manufactures of iron and steel.

"The whole people are interested in and benefited by the reduction of tax upon manufactures of cotton and wool, the rich as well as the poor, because these articles are to a large extent consumed by the whole people, constituting a large proportion of the clothing of the rich, and almost entirely the clothing of the poor: for, however poor the man, he and his family must have blankets, flannels, and either cotton or woolen clothing, and if the relief that we are now able to extend in the reduction of revenue shall be given to a general reduction on the whole list of articles taxed by our present tariff laws, every individual in America will be benefited to a greater or less extent by that reduction; while if you consume or swallow up the forty or fifty or sixty million dollars that we are able now to reduce taxation by relieving bank capital, bank depositors, patent medicines, perfumery, and friction matches, as included in the bill as it came from the House, I undertake to say that there is not more than one in 10,000 of the American people that will be benefited by that reduction of taxation.

"Hence I say that if the object of this bill be, or if the object of Senators be to give a real relief to the people by the reduction of taxation, they should apply that reduction to those articles that enter into universal consumption, those articles that affect the interest of and reduce the cost of those commodities that every American citizen, rich or poor, is compelled from necessity to use and consume."

The insincerity and demagogism of the Republican side was so transparent that the bill very properly became a subject of ridicule.

Their trifling with the interests of the people was well shown up by Senator VOORHEES, (Dem.) of Indiana, who said in a speech delivered July 20th:

"Mr. President, I repeat the great bulk of relief proposed by this bill, brought here in the small, dwindling moments of this long session of Congress, is in favor of the banks of this country, and I ask now any Senator here whether he thinks there is any relief in it for the poorer classes of society? Go into any town throughout the United States and if you do not find the stockholders of banks and the bank officers owning the best corner lots, on which there are the best brick houses, your experience will be different from mine. Yet this bill is brought here under whip and spur, jumped in upon us like a home rush on a race-track, just before the closing hours of this long session, with its object, the relief of the banks.

"But, sir, let us pass to another point. I repeat what the Senator from Ohio said, that we must look over the whole field and find out those things in which we ought to give relief. I am disposed at least for the time being, to speak no further in regard to the banks, the poor, poverty-stricken banks, oppressed with taxation, wanting relief, furnishing a political cry, intending to violate the law on the subject of silver; ay, more, but a little more than a year ago bullying the Administration of this Government into the veto of a funding bill by which $10,000,000 or $11,000,000 was lost to the Government. That is the attitude of the banks. Do you gentlemen desire to go before your constituents and say that these poor people, these humble, obedient, law-abiding people, require a reduction of taxation of $10,000,000 or $12,000,000, which must be paid in some other way by somebody else, while they are in defiance of you on every funding bill, and on every silver bill? Others can do so; I shall not.

"In looking over the whole field, as the Senator from Ohio, with his air of

statesmanship, characterizes it, what do you suppose is the next interest found clamoring for relief, pounding at the doors with a heart palpitating for relief from financial oppression? "Perfumery." That is calculated first to excite a smile perhaps, but there is more in it than that. How much do you suppose this article of luxury returns to the Government? Perhaps a couple million dollars. Yet it is one of the the things that, looking over the whole field, not looking into the blacksmiths' shops, not looking into the carpenters' shops, not looking into the machine shop, not looking into the cornfields or at the laborers, but looking over the "whole field," the Ohio Senator finds the men who use perfumery oppressed by taxation. For the sybarites, dandies, and dissipated, curled worthless dreggs of human society, men and women both, perfumery must have no further tax. It must be free.

"I took a little pains last evening to look and see what this item would embrace, which we find brought forward by the statesman from Ohio, Senator, Finance Minister, possible President, and it would not trouble me if he should be actual President if his party ever produces another, which God forbid. In his catalogue of relief we find essences, toilet water, cologne, cosmetics, toilet powder, and here is a commentary upon these ingredients which must be relieved at once from taxation. This article before me says:

The demands of luxury, the diffusion of comfort, and a more thorough appreciation of the laws of hygiene, are spread more among all classes of society, and have consequently imposed on industry constant efforts, which have resulted in prodigies of good taste in the art.

Yes, it will impose on the costly efforts of industry to make up this tax, which will be abolished in favor of the curling, perfumed fops of human existence, these gadflies, the loss of which would be a blessing to any part of the civilized earth. Continues this article:

The perfumer of these days knows that he holds in his hands not only the beauty, but also the health of the fair ones of society.

He shares it now with the Senator from Ohio. He will know hereafter that the Senator from Ohio holds in his hands at least a moiety of the beauty and health of the "fair ones of society." He desires to give them a free range in the use of those things which conduce to these desirable results.

Mr. SHERMAN. I do not like to wear borrowed honors. I thank my friend for the compliment he gives me, but we have taken this provision from the House, and it is exactly copied from the bill reported by Mr. CARLISLE, of Kentucky. I wish the Senator would give credit to the proper person and not to me.

Mr. VOORHEES. The Senator from Ohio knows that I did not interrupt him. I know that when a man reaches his time of life he is a little sensitive on the subject of furnishing free perfumes to beautify the ladies, but I hope he will take kindly all I say, for nothing is otherwise meant.

Perfumery—

Continus this author—

Made greater by chemistry, is at present a science—but a science so charming that it reflects all the forms, illusions, and seductions of art, and only appears to the eyes of the profane as clad in vestments woven by fairies.

I am afraid we are the "profane" over here; I am afraid we are not up to this esthetic standard; but I must say to the Senator from Ohio that as between the hard laboring men whom I represent who toil in the fields and workshops of Indiana, who eat their bread in obedience to the command of God in the sweat of their faces—as between them paying $2,000,000 taxes and these luxurious, dainty, tasty individuals, both male and female, I will keep the tax on where he wants to strike it off.

The art of creating perfumes was originated at the beginning of this century, &c.

Mr. President, I am dealing with this bill with perfect fairness. You, gentlemen, propose to make certain things free of taxation so that somebody will have to make it up or it will not be made up. This is a grave matter that comes here

in the lingering moments of an eight months' session of Congress to tax our patience, to weary our last hours. It comes here after we are notified to adjourn, and I believe and feel that I am right in saying that such a bill is an insult to the intelligence of the Senate; it is an insult to the intelligence of the country. It is not fair legislation, and without arraigning anybody I do not believe it was meant to be fair. I can now see the Senator from Ohio, the Senator from Vermont, the Senator from Rhode Island, and all others over there who want a little battle-cry with banners spread, with flags flying, and on them inscribed something like this: "Horsford's Acid Phosphate free; Jayne's Alterative free; Briggs's Corn Alleviator free; Read's Ambrosia free; Hedge's Annihilator free." These are proprietary medicines. "Allen's Anti-Fat and Allen's Anti-Lean made free; Green's August Flower free." Lord, what a catch it will be among the farmers of the west to have these great reductions of taxes on the absolute necessities of life! Let me turn here and see what will be more particularly the specialty of my friend from Ohio on the question of perfumery: Bazin's Society Boquet perfume, Monogram Carbons, Colgate's perfume, Cashmere Boquet, all free; Jockey Club Boquet as an odor, all free; Tea Rose Boquet, free; Damask Rose, Lily of the Valley, Magnolia, May Flower, Bridal Boquet, all free; and there are a thousand of them, here all to be free. I see my friend from Ohio on his highway to the Presidency dispensing sweet odors all around him, and all of them free; musk and ottar of roses scenting the very air like the perfume of "Araby the blest."

Why not? I never knew such a campaign document as this will make. I never in my life knew such a bid to his fellow-countrymen and his fellow-countrywomen as the distinguished and gifted Senator from Ohio has held out in making sweet odors free. I confess that I like such odors. I like the Balm of a Thousand Flowers, but I doubt if the stalwart, strong, oppressed farmers of Ohio or of Indiana will appreciate the diminution of revenue $2,000,000, which they will have to make up under this bill in order to have these odors rained down on them. Boquet de Caroline, musk rose, new-mown hay, and night blooming cereus, all free. Does it not strike you, Mr. President, that this is one of the most important measures for relief against oppressive taxation you ever knew in your life? I could stand here and read 2,500 specific articles of that kind, which we are required to stay here upon approaching dog-days to make free to the people of the United States.

I did not desire to take part in this discussion, but my very gorge rose when I came to examine the trifling, and without offense be it spoken, the fraudulent nature of this proposed legislation. Perfumery! May all its good odors waft my friend from Ohio, but let me say to him that however sweetly he may talk about relieving the Irishman on his match he will not be borne by prosperous winds from these odors made free.

Sir, a word or two more. You must bear in mind the argument I am making, if it can be called such, arises from the fact that we are compelled by a caucus of the Republican party, coerced as you are, into the consideration of this question at an improper time. We are forced to this consideration, not by reason of the importance of the subjects embraced, but because of an attempt to deceive the people into the belief that something has been done for their relief. Consequently I ask you what is next? Perfumery free and then "medicinal preparations,"

In a speech upon this bill August 3, Senator VANCE (Democrat), of North Carolina, said:

"Mr. President, why not be honest about this thing? The baby, the progeny of the Republican caucus, is about to die, and the Senator from Massachusetts says that he congratulates the country. I have no doubt that that is true. I have no doubt he congratulates himself still more, for I am free to say that a more disreputable offspring never came to trouble a parent than that bill. A more weak, and puny, and feeble, and lopsided concern, or one bearing more evidences of its legitimacy, never squalled in this wicked world than the bill which came to the Senate from that caucus; and I have no doubt that the Senator from Kentucky and anybody else who assists in the obsequies will incur the everlasting gratitude of the Republican portion of this Chamber for putting that child out of this world in which it was too poor and too feeble and too simple ever to live and thrive. [Laughter.]

"What are the characteristics and the attributes of this wonderful child, that was to be born for the healing taxed people in Israel? It takes off the tax from of the banks, bank capital, bank deposits, bank checks, patent medicines, perfumery, cosmetics, friction matches, and high, low, jack, and the game. [Laughter.] All those taxes are taken off by virtue of this man child that was born in Israel for the relief of the oppressed people. No wonder it is taken away, even as the fig-tree casteth its untimely figs when shakened by the wind. It is about to die, and the question now is somewhat resembling one of a more serious character that we have been discussing in this Chamber, and throughout the American nation with a big N for some time past, as to who shall be responsible for its death. If the responsibility for its death can be fastened on this side of the Chamber, the mourning of its affiicted parents will be like that of David of old, who grieved much while the child was sick, yet rose and dressed himself and rejoiced when it was dead; his sorrow was over.

"Mr. President, I am willing to take my share in this infanticide. I am opposed to any relief being extended to that suffering and meritorious class of people that I have enumerated just now, and who are affected by this bill, so long as the real suffering of the country is not abated one jot or tittle. So long as the tax-gatherer goes into the cabin of the poor man and demands a tax on the latch he enters; and walks up to the gourd that holds the widow's salt, and hangs by the chimney corner, and levies a tax of fifty-six per cent. upon the contents; and walks up to the couch where sickness languishes and demands a tax upon the medicine to alleviate human suffering, and the spoon that holds it; so long as the farmer's trace-chains that pull the plow that gives bread to the world; so long as the weaver's shuttle is taxed; so long as the reaper's scythe is taxed: so long as the poor man's wool hat is taxed, and his blanket is taxed 100 per cent.: so long as these necessaries not only of life, but necessaries of the poor man's life, are taxed this way, I am willing to trample one hundred such babies in the dirt every morning as an appetizer for my breakfast. [Laughter.]

"Do you want to give any relief to the American people? Then why mock the common sense of mankind in this way? Give us a total abolition of the internal-revenue system. It is a remnant of the war. Wipe it all out and lay your duties upon the products that are imported in this country in such a manner that they will yield the necessary revenue. Wipe it all out and then your banks and bank capital may go; then your patent medicines also may go,"

IV. Protection of Monopolies.

THE TARIFF.

PRINCIPLES DISCUSSED.

The attention of the farmer and laborer and of the people generally is particularly invited to the debates in both the Senate and House during the present Congress upon the subject of the tariff. They contain something more than the record of temporary rivalry between the two parties; they illustrate the fundamental principles upon which each is based.

In a speech in the House on the 28th and 29th of May, 1882, Mr. Carlisle of Kentucky said:

"Our surplus agricultural products, which were forced by the absence of a home demand to find a foreign market, amounted during the last fiscal year to over $730,000,000, being 82½ per cent. of our total exports, while our manufacturers export less than one-third of 1 per cent. of their product. They have an ample home market for their products at high prices, and too often they have the exclusive and absolute control of it. These agricultural products were necessarily sold in open competition with the products of the poorest paid laborers of Europe and Asia; and yet our farmers are constantly told that they must continue to submit to the exactions of a high protective system as the permanent policy of the government, in order to enable our manufacturers to compete in the markets here at home with the products of what is called pauper labor in other countries. While the American farmer is sending his surplus products three or four thousand miles to a market, and competing there with the labor of the lately emancipated serfs of Russia, and the half-naked and half-fed swarms of Hindoos in India, whose wages amount only to a few cents per day, gentlemen should not be surprised at his inability to appreciate the wisdom and justice of a system which taxes his clothing, his agricultural implements, his means of transportation and many articles of his food, in order that some other American producer, not more meritorious than he, may be able to conduct his business at a large profit.

"Let gentlemen examine all the consular reports and other evidence showing the state of labor in different countries, and they will find that the agricultural laborer in Europe and Asia, with whom our farmers and agricultural laborers are forced to compete, is the worst fed, the worst clothed, and the poorest paid in the world. The wages received by those who are employed in the mechanical and manufacturing industries in the Old World are far higher than the agricultural laborer there can ever hope to earn, and yet we have a system of taxation based upon the theory that it is the duty of the government to protect one class of our producers against competition with the best paid labor in the world except our own, and to leave another class open to competition with the poorest paid labor in the world. And this is justified mainly upon the ground that the object is to keep up the wages and elevate the character of American labor. So far as this purpose is honestly entertained, so far as it really constitutes the ground upon which any system or policy is supported, and so far as the system or policy is reasonably calculated to promote such a purpose, it must enlist the warmest sympathies not only of every man who appreciates the hard fortunes of those who are compelled to earn a support for themselves and families by the labor of their hands, but also of every man who desires to preserve and strengthen the foundations upon which our system of popular government rests. Ignorant and ill-paid labor is a blight and a curse in any country. It would be a fatal social and political poison in a country like ours. Sir, those who attempt to arouse the apprehensions or excite the indignation of the American laborer by telling him that there is a purpose upon the part of those who advocate a reform in the tariff to degrade him by reducing his wages, depriving him of employment, or denying

him any advantage or privilege which he now enjoys, are either trying to deceive him or are deceived themselves. No man or party could avow such a purpose and stand for a moment against the enlightened public sentiment which everywhere prevails on this subject.

"I think it is entirely safe to say, that while there is a very general feeling of dissatisfaction with the existing system of unequal and unjust tariff taxation, there is no disposition anywhere to strike a radical, much less a fatal blow, at any of the great mechanical or manufacturing industries of the country; nor is it necessary in my judgment to strike such a blow in order to afford a reasonable degree of relief to the people. We cannot as responsible legislators close our eyes to the fact that under this system, whether it was originally wise or unwise, large and valuable interests have grown up; that great masses of capital have been withdrawn from other pursuits and embarked in manufacturing enterprises, and that labor, following, as it always does, where capital leads, has been to a large extent diverted from its previous channels, and has permanently identified itself with these various interests In any revision that may be made proper regard should be had for the welfare of these great interests, and they should be carefully considered, not alone, not as something separate and distinct from the other industries of the country, not as the especial favorites of the government, having peculiar claims upon its bounty, but in connection with every other legitimate interest in the country, all being recognized and treated as equally entitled to our favorable consideration.

"The unskilled and unpretending laborer who guides the plow and gathers the harvest is as much entitled to the protection of the law and to the encouragement of the government as the scientific artisan who has mastered all the mysteries of his craft. Each one of the busy millions who helps to create and distribute the varied products of this wonderful land of ours has an undoubted right to demand an equal participation in all the advantages conferred by the laws of his country; and I repudiate every definition of American industry or American labor which excludes a single honest and useful occupation. Whoever challenges the right of the humblest citizen, whatever may be his trade or occupation, to an equal participation in the benefits conferred by the government so long as he bears an equal share of its burdens, denies the equality of man; whoever asserts that one class of men or one species of industry has a right to exact tribute from another for its own benefit, or has superior claims upon the consideration of the of the government, asserts a doctrine utterly at war with the first principles of our political system. To call such a doctrine the 'American doctrine,' and to and to announce it in high-sounding and patriotic phrase, is simply an attempt to hide its deformity beneath a rhetorical and sentimental garb, and will deceive no one who looks beyond the surface."

In a speech upon the same subject on the 3d of May, Mr. Cox, of New York, said in the House:

"Do you not see that this tariff, which hangs as an incubus on labor in country and city, is one of the monopolies by shameless legislation, by purchased and interested nabobs? What have you done to lighten the labors of the poor? You would keep up a great surplus by continued taxation. You make provisions dear by making transportation dear, by Bessemer steals. You would perpetuate the mean little taxes on matches and checks and keep it uneconomically high on spirits and beer, by the aid of a pestilent internal system of spies and informers. You are safe while your commission sits, for your exactions continue. You fail to give relief as to the hours of labor or by removing the competition of striped scoundrels in the penitentiary. You force them into "unions," and then with pretexts of mob and violence, with bayonet and bullet, drive them into desperation. You have legalized oil companies in a gigantic form of greed to grease the wheels of liveried coaches. You would take river fronts in great cities to increase your corporate gains. You create great overland routes and allow them to be gutted, watered, and handled so as to defy and defraud the Government which gave them land and bonds. You make them the supple instruments of heavy interest and a privileged, expensive, political banking system; you have done it by your votes; and when the devil you have harbored turns and rends in its desperation, you stand here and ask for a commission to report to you, at the

end of two years or more, some plan of relief, which will be, when reported, seven other devils of despair. The men who raise your products, make your clothes, roll your iron, and build your houses are entitled to a fair share of the inheritance of the earth and the blessing of the government They will have their inheritance or know "the reason why." [Cheers.]

On the 5th of May Mr. RANDALL, of Pennsylvania, called the attention of the House to the record of the Democratic party upon this important question, as shown in the platforms of their national conventions. He said:

"Mr. Chairman, when the attempt is made to draw party lines on the subject of the tariff, I am strengthened in the conviction that in what I have said to-day I am sustained by the solemn and deliberate declarations of the Democratic party in national convention for more than forty years. It will be a fitting conclusion, therefore, to recall some of the words of wisdom of the statesmen of former times.

"Seeing what the great men of the past have done, we may take heart and tread the path of triumph by emulating their worthy actions. I submit the expression of the conventions alluded to, as far as they relate to revenues and expenditures. The first plank of the platform of the Democratic national convention which met in Baltimore May 5, 1840, as follows:

Resolved, That it is the duty of every branch of Government to enforce and practice the most rigid economy in conducting our public affairs, and that no more revenue ought to be raised than is required to defray the necessary expenses of the Government.

"The Democratic national convention which met at Baltimore, May 27, 1844, was to the same purpose.

"The platform of the Democratic convention at Baltimore, May 22, 1848, contained the following declaration of Democratic faith:

Resolved, That it is the duty of every branch of the Government to enforce and practice the most rigid economy in conducting our public affairs; and that no more revenue ought to be raised than is required to defray the necessary expenses of the Government and for the gradual but certain extinction of the debt created by the prosecution of a just and necessary war, after peaceful relations shall have been restored.

"The platform of the Democratic convention at Baltimore, June 1, 1852, contains the following words as to the revenues and expenditures:

Resolved, That it is the duty of every branch of the Government to enforce and practice the most rigid economy in conducting our public affairs; and that no more revenue ought to be raised than is required to defray the necessary expenses of the Government and for the gradual but certain extinction of the public debt.

"The same resolution was adopted at Cincinnati, Ohio, June 2, 1856; at Charleston, South Carolina, April 23, 1860, and at Baltimore, June 18, 1860.

"The Democratic convention of 1864, at Saint Louis, on August 29, passed no tariff resolution.

"The Democratic platform of 1868, in New York City, has the following resolution:

And a tariff for revenue upon foreign imports and such equal taxation under the internal-revenue laws as will afford incidental protection to domestic manufactures, and as will, without impairing the revenue, impose the least burden upon and best promote and encourage the great industrial interests of the country.

"The national Democratic convention of Baltimore, July 9, 1872, resolved as follows:

We demand a system of Federal taxation which shall not unnecessarily interfere with the industry of the people, and which shall provide the means necessary to pay the expenses of the Government, economically administered; the pensions, the interest on the public debt, and a moderate reduction annually of the principal thereof; and recognizing that there are in our midst honest but irreconcilable differences of opinion with regard to the respective systems of protection and free trade, we remit the discussion of the subject to the people of their Congressional districts and to the decision of the Congress thereon wholly free from Executive interference or dictation.

"The St. Louis convention of 1876 declared as follows:

Reform is necessary in the sum and mode of Federal taxation, to the end that capital may be set free from distrust and labor lightly burdened.

We denounce the present tariff levied upon nearly 4000 articles as a monster piece of injustice, inequality and false pretense. It yields a dwindling, not a yearly-rising, revenue; it has impoverished many industries to subsidize a few; it prohibits imports that might purchase the products of American labor; it has degraded American commerce from the first to an inferior rank on the high seas; it has cut down the sales of American manufacturers at home and abroad and depleted the returns of American agriculture and industry followed by half our people; it costs the people five times more than it produces to the Treasury, obstructs the processes of production, and wastes the fruits of labor; it promotes fraud, fosters smuggling, enriches dishonest officials, and bankrupts honest merchants. We demand that all custom-house taxation shall be only for revenue.

"The platform of 1880 at Cincinnati declared "for revenue only."

"These utterances of the Democratic party, assembled from all parts of the United States in national convention, teach their own lesson to the present generation and need no commentary at my hands. It will not do for any public man to narrow his mind on such a momentous question as that which affects not only the integrity of the Government, but brightens or darkens the home of every citizen just as we shall legislate."

On the 4th of May Mr. MORRISON of Illinois, in a speech in the House, upset one of the standard but absurd arguments of the Republicans who favor protection as an alleged benefit to the American laborer. He said:

"Who, sir, are the favorites of this system and the beneficiaries of this tax on the labor and the products and wages of labor? The manufacturers, who counted themselves 42,000 in 1870 and to-day do not number 55,000, if so many.

"The final and flimsiest apology protection makes for its exactions is the wages of labor, which it claims to increase by increased taxation. This argument is purely American and is used not because it is true, but because here laboring-men are a political power. Germany and France, like ourselves, are attempting to supply the waste of war by the waste of a protective tariff. What are they protecting themselves against! Is it the cheaper labor of any competing nation, or the better paid labor of England, or still better paid labor of our own country? This policy credits itself with the fact that wages are higher here than in densely populated countries of the Old World, where people are in each others way, but it takes no account of the fact that wages are lowest in Germany and France, where the system is enforced, and highest in England, where it does not exist. It takes no account of the fact wages here are as much higher than in England or on the continent of Europe, in all other employments, as in the protected industries, a fact which shows that the difference in wages in this and other countries is not the result of tariff rates, but of other causes. Mr. Young, of the Bureau of Statistics, tells us that when Ireland's population was less by reason of emigration, those who remained received higher wages; not because of any tariff changes, but because there was less labor and proportionally greater demand. No system of taxation, though it be called protection, can permanently increase the wages of labor or otherwise affect it, except to burden it.

"The railroad industry, which is unprotected by any tariff, employs 490,000 men and pays them $237,000,000 wages. This industry alone pays higher wages and more wages than the cotton, woolen, silk, flax, iron and steel, pottery and glass, and all the highly protected industries together. What have the professed friends of labor who urge the maintenance of the tariff under pretense of protecting labor and increasing wages done, and what do they propose to do, to increase the wages of workers in agriculture, on railroads, and in other unprotected industries? Nothing but tax their earnings by taxing their necessaries and comforts of life. That they propose nothing to protect labor not employed in manufacturing industries ought to convince the most incredulous that to benefit labor and increase wages is not the object of a protective tariff. The unnumbered thousands of mechanics, blacksmiths, carpenters, and artizans who constitute so important a part of the great preservative industrial forces of the country, are not correctly classed as "operatives" of manufacturing industries.

"The highly protected manufacturing industries do not sustain 10 per cent. of our people. Rates of wages are fixed by what is earned by nine men employed in agricultural, railroad, and other industrial pursuits, not by the one in manu-

factures. Changes from one employment to another, for any cause, often bring with them some hardships, but laboring-men have the intelligence common to their fellow-citizens. If wages are higher in one industry than another, protected or unprotected under like conditions, labor goes from one industry to another and thus wages are equalized in all. When labor is oppressed in the Old World its only escape is to the New, over what is too often an impassible sea. It is compelled to accept the wages offered by its taskmaster, and wages therefore are low. In this newer and better country democratic statesmanship blazed the trees to the other ocean toward which laborers find homes and profitable employment, and therefore wages are not so low. When we have no more cheap lands labor will be lower."

The Democratic doctrine of tariff for revenue was concisely stated by Mr. TUCKER, of Virginia, on the floor of the House, May 5th, as follows :

"Taxation exacts the property of the citizen for public use. It does not, it cannot, give him compensation for this, for that would be to give him back what it had just exacted, which would make nugatory the power of taxation. The just compensation which each citizen thus contributing of his means to the support of Government receives is in the equal benefits which he derives in common with all others from the beneficent action of the Government for the safety and well-being of the whole people.

"Now, to take property for public use without just compensation is clearly unconstitutional. To take it for private use, even on just compensation, is as clearly unconstitutional. It assails the manhood of the citizen to take what he has earned for the private use of another. This is tribute exacted for the support of privilege. Take it for a public use, on just compensation, and it is right. But to take it for public use without compensation, or for private use, even on just compensation, is to violate the liberty of the man in his self-use, and his right to hold all he earns against men and government, except for the common benefit of society.

"Taxation exacts property for public use without any compensation but the common benefit. Bearing a common burden, the citizen must derive a common benefit. When revenue is needed it is his contribution to the common fund for a common benefit; but when taxation is laid, except for the revenue needed by the Government, when it takes the property of A to give it to B; when it exacts a tribute from one to bestow a bounty upon another, this violates right and justice; this lays burdens on one to create a privilege for another; this is despotism and tyranny; for if even compensation be given it is unconstitutional to take A's property for private purposes; *a fortiori* it is unconstitutional to tax A for B's benefit without compensation. When, therefore, the tax power is exerted to raise revenue for the Government it is just and legitimate; but when it is perverted from the purpose of revenue to the grant of a bounty or special privilege to a man or a class, if done directly it is a robbery; if indirectly, it is a fraud, under forms of law. It is no longer for the use of Government, but a bounty exacted from the citizen to maintain a privileged class. This is despotism and tyranny.

"Taxation for revenue only is, therefore, a fundamental maxim of all true liberty! Taxation perverted from this purpose to the object of so-called protection to any class, directly or indirectly, is not only illegitimate, but a violation of right and justice and, in my judgment, contrary to the spirit of the Constitution."

In the same speech he pointed out the monopoly features of the present Republican tariff, as folows:

"If this systen transfers bounties from the mass to privileged classes, and these last are congregated in a few States, wealth will not only flow in a steady torrent from al sections to the favored one, but from all classes to those of privilege, who are fed with the bounties the mass are forced by law to pay.

"But this is not all. This present tariff taxes the poor at a heavier ratio than the rich, by taxing luxuries more lightly than necessaries, and lays a higher

duty on the cheaper goods bought by the poor than on the higher goods bought by the rich.

"Diamonds pay 10 per cent., or 25 per cent. if set in gold; blankets pay 70 to 100 per cent.—the highest-priced ones 70 per cent., a low-priced one 98 per cent.; balmorals, 66 per cent. if high-priced, 85 per cent. if low-priced; flannels worth not over 40 cents a pound pay 95 per cent., if over 80 cents, 61 per cent.; hosiery not over 80 cents, 89 per cent., over that 55 per cent.; hats not over 80 cents, 96 per cent., over 80 cents, 58 per cent.; shirts, drawers, &c., under 80 cents, 100 per cent., over, 67 per cent. So as to cotton and carpets and other wollen goods. Chains, trace, halter, and fence, 51 to 58 per cent.; a finer species, 35 per cent.

"Plows and all farming and mechanic tools of steel are 45 per cent. By the specific duties on brandy and spirits, all at $2 per gallon, the poorer spirits pay the same tax as the expensive brandy, Thus brandy pays only 85 per cent. while spirits from grain pay 322 per cent. and wines and champagne only 44 to 49 per cent. The same rule prevails as to cigars.

"So in the internal-revenue system. The cigars which cost $250 per thousand pay no more than those worth $50. The poor in this way, if the process was applied to horses, would pay as much on a $50 cart-horse as Mr. Lorillard would pay on the $20,000 racer.

"Is it not obvious that this is not only unjust, but tends to make the rich richer and the poor poorer?

"And this is the natural effect of specific duties. The ad valorem where it can be adopted, and so as to avoid frauds in the revenue, is most fair, because it proportions tax to ability, and to the value of the thing taxed.

"I cannot go fully into the injurious effect which the tariff has on the agricultural people, as they are the chief export producers. They furnish 82 per cent. of all our exports. These must be directly or indirectly paid for by imports.

SENATOR COKE'S STATISTICS.

A valuable statistical review of the monopoly features was presented to the Senate February 7, 1882, by Senator COKE, who said:

"During the fiscal year just closed the value of dutiable merchandise imported into this country from abroad, as the Treasurer's report shows, was $448,061,587 95. Upon this merchandise was collected at the custom-houses $193,800,897 67, being an average of 43¼ per cent. This is the entire revenue of the Government derived from the tariff for the last fiscal year. Now, what amount do the manufacturers receive from the tariff? By the census of 1870 it was estimated that 4,000,000,000 worth of manufactured articles were consumed annually in the United States. The figures for 1880 are not yet published so as to be accessible, but following the ratio of increase in population and everything else, they must now amount to at least $5,000,000,000 each year. All these manufactures being increased in cost to the consumer by the amount of tariff duty, which, as I have before stated, is an average of 45 per cent., which goes to manufacturers, it is easy to see on that basis what the share of the manufacturer would be. But I will discount that per cent. so as to more than cover all contingencies and all drawbacks, and say they only receive under the tariff 25 per cent. on the sum total of manufactured articles consumed in the United States, and it amounts to the enormous sum of $1,250,000,000 annually. And the amount increases each year with the population and trade of the country.

"So, for the year 1881, the results of tariff taxation and the distribution of its proceeds may be tabulated thus:

Revenue received by the Government	$193,800,897 67
Bounty received by manufacturers	1,250,000,000 00

"So that, for every dollar paid into the National Treasury under the existing tariff, six and a half dollars, at the lowest calculation, go into the pockets of the manufacturers. If this vast sum of money were collected annually from the pockets of the people directly, to be given to the already richest class of people in this country each year, its monstrous iniquity would, of course, be so apparent as to defeat it. But it is collected indirectly, though as surely, in an increased price of everything they consume, in everything they eat, drink, and

wear; in every tool and implement they work with; in every article which enters into the construction of the houses they live in, whether used for strength, or utility, or ornament; in every book or newspaper they read. This tax is as all-pervading as the atmosphere they breathe, and they have been so accustomed to it that they neither feel nor appreciate its enormity. There was a time when their fathers thought our 'infant industries' needed protection, and they have been born and reared under the system which had its origin in the highest impulses of patriotism and in the broadest reasons of national policy. The 'infant' has grown into stalwart and aggressive manhood, is able not only to take care of himself, but to make the industries of other countries seek protection against him in their own home markets. The reasons of state policy have disappeared with the change, and what was once a burden born willingly for the country's sake has become an annual tribute to class monopoly. The people are slowly awakening to a realization of the fact, and when they think on it and thoroughly understand it, will sweep such legislation from the statute-book.

"There are in round numbers 2,000 articles on the tariff list upon which duties are charged. I have a list of 197 of these articles on which the duty is above 40 per cent., which I now give with the percent. of duty charged on them respectively, as follows:

Breadstuffs:	
On cleaned rice	85.39 per cent.
On uncleaned rice	87.33 per cent.
Chemicals:	
Acetic, acetous, speci. gravity 1.047	62.11 per cent.
Acetic, acetous, speci. gravity over 1,047	76.40 per cent.
Tannic	185.06 per cent.
Alum and substitute	54.43 per cent,
Aniline dyes	59.96 per cent.
Baryta, sulphate of	64.83 per cent.
Borax, refined	70.86 per cent.
Chloroform	53.76 per cent.
Sulphate of copper, blue vitriol	82.99 per cent.
Nitric, (ether)	129 21 per cent.
Coperas	90.90 per cent.
Sugar of lead	40 46 per cent.
Licorice, paste or in rolls	77.43 per cent.
Carbonate of magnesia	52.82 per cent.
Epsom salts	82.67 per cent.
Medical preparations	50 00 per cent.
Chromate and bichromate of potassa	47.47 per cent.
Acetate of soda	221.87 per cent.
Bicarbonate of soda	59.13 per cent.
Caustic	56.75 per cent.
Flower of brimstone	57.29 per cent.
Tannin	171.43 per cent.
Cream of tartar	46.27 per cent.
Burnt chieory	97.74 per cent.
Kaoline, (clay)	52.73 per cent.
Pipe, clay	48.19 per cent.
Culm, or slack coal	42.27 per cent.
Copper, brazier's sheets	45.00 per cent.
Sheathing or yellow metal	45.00 per cent.
Cotton, plain bleached, valued 20c. per square yard	45.51 per cent.
Cotton, not bleached, valued 16c	48.89 per cent.
Cotton. printed, over 100 threads to square inch	58.09 per cent.
Cotton, printed, over 200 threads to square inch	55.64 per cent.
Cotton, muslin shirtings and lappets	53.62 per cent.
Spool thread, 100 yards per spool	73.34 per cent.
Spool thread, 200 yards per spool	76.08 per cent.
Thread yarn, 44c. or less per pound	47.84 per cent.
Thread yarn, not exceeding 60c. per pound	59.36 per cent.
Thread yarn, not exceeding 80c. per pound	62.88 per cent.
Thread yarn, over 80c. per pound	53.95 per cent.
Porcelaine, plain white	45.00 per cent.
Porcelaine, painted or gilded	50.00 per cent.
Emery grains	40.61 per cent.
Beads and bead ornaments	50.00 per cent.
Artificial flowers and feathers	50.00 per cent.
Meerschaum pipes	83.00 per cent.
Pipe cases and stems	75.00 per cent.
Wood and porcelaine pipes	85.86 per cent.
Toys of wood and others	50.00 per cent.
Fire-crackers	115.45 per cent.
Sardines	49.47 per cent.
Almonds, not shelled	52.79 per cent.
Almonds, shelled	52.84 per cent.

Filberts and walnuts	52.56 per cent.
Plums	52.19 per cent.
Raisins	49.54 per cent.
Plate glass:	
24x30 and not above 24x60 inches	58.43 per cent.
Above 24x60	103.18 per cent.
Rough or fluted, above 24x30 inches	45.08 per cent.
Window-glass, common, unpolished:	
10x15	59.47 per cent.
16x24	71.88 per cent.
24x30	78.92 per cent.
Above 24x30	78.73 per cent.
Silver-leaf, in packages of 500 leaves	92.67 per cent.
Gun powder, common	58.26 per cent.
Hair-cloth, seatings, 18 inches wide	59.02 per cent.
Hair-cloth, over 18 inches wide	66.50 per cent.
Anchors	67.40 per cent.
Band and hoop iron	53.06 per cent.
Band, under ⅛ inch	65.27 per cent.
Bar-iron, common	58.71 per cent.
Bar-iron	46.72 per cent.
Boiler-plates	43.88 per cent.
Cables and cable-chains	52.78 per cent.
Cut nails and spikes	43.68 per cent.
Cast-iron pipes	51.80 per cent.
Chains, halter and trace	57.13 per cent.
Chains, less than ¾ inch	55.55 per cent.
Hair-pins	50.00 per cent.
Hollow-ware	42.68 per cent.
Moisic iron	41.18 per cent.
Iron, rolled and hammered, not otherwise provided	49.82 per cent.
Scrap-iron, cast	42.52 per cent.
Scrap-iron, wrought	63.03 per cent.
Wood screws, 2 inches	52.94 per cent.
Wood-screws, less than 2 inches	62.88 per cent.
Squares, marked on one side	60.00 per cent.
Squares, all other	90.00 per cent.
Iron-wire, not less than No. 16	65.36 per cent.
Iron-wire, No. 25	62.78 per cent.
Wire rope	58.90 per cent.
Wrought steam and gas tubes	73.23 per cent.
Cutlery	50.00 per cent.
Files, exceeding 10 inches	52.23 per cent.
Steel, in ingots, not exceeding 7 cents per pound	43.55 per cent.
Needles for knitting or sewing machines	47.05 per cent.
Steel rails	104.90 per cent.
Steel rails made in part of steel	45.00 per cent.
Steel wire, No. 16	42.78 per cent.
Steel wire, less than No. 16	42.53 per cent.
Manufactures of steel	45.00 per cent.
Lead, in pigs and bars	56.60 per cent.
Lead, old scrap	55.01 per cent.
Marble, not exceeding 2 inches thick	80.20 per cent.
Marble, veined,	66.74 per cent.
Marble, white statuary brocatella	56.14 per cent.
Marble, manufactures not otherwise provided for	50.00 per cent.
Mats, screens, hassocks, and rugs	45.00 per cent.
Mineral or medicinal water	61.27 per cent.
Oil-cloths, valued at over 50 cents per square yard	45.00 per cent.
All other oil-cloths and waterproofs not otherwise provided for	45.00 per cent.
Vegetable, fixed or expressed, bay or laurel	114.52 per cent.
Castor-oil	98.10 per cent.
Croton	141.24 per cent.
Olive salad, in bottles or flasks	52.77 per cent.
Vegetable, volatile or essential, bay leaves	305.88 per cent.
Cloves	95.58 per cent.
Fruit, ethers, essences, or oils of apples, pears, &c	140.46 per cent.
Nitro-benzole, or oil of mirbane	48.16 per cent.
Other essential oil, not otherwise provided for	50.00 per cent.
Rum, bay rum, essences, or oil	181.21 per cent.
Lead, dry or ground in oil, red	59.38 per cent.
Lead, dry or ground in oil, white	50.25 per cent.
Litharge	69.28 per cent.
Other dry not otherwise specified	44.56 per cent.
Ultramarine	46.45 per cent.
Umber	70.85 per cent.
Whiting and Paris white	228.52 per cent.
Pens, metallic	56.26 per cent.
Repairs on vessels	50.00 per cent.
Salt, in bulk	65.29 per cent.
Seeds, castor beans or seeds	43.39 per cent.
Silk manufactures	60.00 per cent.
Soap, common	46.44 per cent.
Soap, toilet	50.97 per cent.
Starch, corn or potato	48.29 per cent.

Starch, made from rice	115.05 per cent.
Rough freestone	41.85 per cent.
Sugar:	
Concentrated molasses sirups	62.48 per cent.
Raw Sugar, not above No. 7	53.20 per cent.
Raw sugar, above No. 7 and not above No. 10	60.79 per cent.
Raw sugar, above No. 10 and not above No. 13	60.65 per cent.
Raw sugar, above No. 13 and not above No. 16	64.80 per cent.
Raw sugar, above No. 16 and not above No. 20	70.82 per cent.
Raw, loaf and crushed	64.01 per cent.
Sugar candy and confectionary	126.74 per cent.
Vinegar	84.60 per cent.
Varnish	63.08 per cent.
Wool:	
Class No. 1, cloaking wool valued 32c. or less per pound	58.41 per cent.
Class No. 1, valued over 32c. per pound	40.38 per cent.
Class No. 1, scoured	74.38 per cent.
Class No. 1, washed, valued over 32c	62.86 per cent.
Class No. 1, washed, valued 32c. or less per pound	58.58 per cent.
Class No. 2, Combing wool, valued 32c. or less per pound	53.80 per cent.
Class No. 2, valued over 32c. per pound	40.91 per cent.
Class No. 2, scoured	90.24 per cent.
Carpets:	
Aubusson	50.00 per cent.
Brussels	68.52 per cent.
Brussels tapestry	65.00 per cent.
Druggets	103.99 per cent.
Patent velvety tapestry	63.99 per cent.
Saxony and Wilton	71.69 per cent.
Screens, rugs and covers	45.00 per cent.
Treble ingrain	50.83 per cent.
Yarn, Venetian or two-ply	51.96 per cent.
Dress goods and Italian cloaks:	
Value not exceeding 20c. per square yard	70.09 per cent.
Value over 20c. per square yard	66.20 per cent.
Weighing 4 oz. and over per square yard	65.85 per cent.
Balmorals, alpaca, and like goods:	
Value above 80c. per square yard	49.42 per cent.
Value above 80c. per square yard, and weighing 4 oz. and over	70.00 per cent.
Blankets, valued 40c. per pound	104.14 per cent.
Blankets, valued over 40c. and not over 60c	85.84 per cent.
Blankets, valued over 60c. and not over 80c	96.03 per cent.
Blankets, valued over 80c. per pound	69.00 per cent.
Flannels:	
Valued 40c. per pound	95.00 per cent.
Valued over 40c. and not over 60c	94.36 per cent.
Valued over 60c. and not over 80c	88.69 per cent.
Valued over 80c. per pound	64.87 per cent.
Hosiery:	
Valued at 40c. per pound	85.81 per cent.
Valued over 40c. and not over 60c	97.46 per cent.
Valued over 60c. and not over 80c	89.66 per cent.
Valued over 80c. per pound	55.31 per cent.
Manufactures of wool not specified:	
Valued at 40c. per pound	94.76 per cent.
Valued over 40c. and not over 60c	90.09 per cent.
Valued over 60c. and not over 80c	87.58 per cent.
Valued over 80c. per pound	70.31 per cent.
Skirts and drawers not over 60c. per pound	86.06 per cent.
Skirts and drawers valued above 80c	60.13 per cent.
Bunting	117.63 per cent.
Cloths	71.04 per cent.
Clothing made of wool	56.12 per cent.
Endless belts or felts	57.74 per cent.
Hats made of wool:	
Valued above 80c. per pound	66.32 per cent.
Manufacturers wholly or in part of wool not otherwise provided for	64.78 per cent.
Rags, waste, and shoddy	52.06 per cent.
Woolen shawls	57.88 per cent.
Worsted goods not otherwise provided for	58.04 per cent.
Webbings, beltings, galoons, &c	69.25 per cent.
Woolen or worsted yarns:	
Valued not exceeding 40c. per pound	99.55 per cent.
Valued over 40c. and not over 60c	96.53 per cent.
Valued over 60c. and not over 80c	90.33 per cent.
Valued above 80c. per pound	78.02 per cent.
Zinc sheets	47.13 per cent.

"Although less then one-tenth of the tariff list of dutiable articles, these will give some little idea of the extent and burden of the tariff tax. The entire list reaches nearly every item or article entering into the daily use or consumption of our people. No man can read it without being impressed with the forbearance of a people thus taxed to build up the private fortunes of a privileged class.

"Of the $193,800,879 67 of revenue collected for the Government under this tariff for 1880, six commodities and classes of commodities yielded 69.01 per cent. of the whole. I quote from the report of the Chief of the Bureau of Statistics on our foreign commerce of 1880:

"Of the total amount of duties collected on imports, the duties on sugar and molasses amounted to $47,984,032.84, or 24.79 per cent.; the duties on wool and manufactures thereof amounted to $27,285,624.78, or 14.10 per cent.; the duties on iron and steel and manufactures thereof amounted to $21,462,534.34, or 11.09 per cent.; the duties on manufactures of silk amounted to $19,038,665.91, or 9.81 per cent.; the duties on manufactures of cotton amounted to $10,825,115.21, or 5,59 per cent.; and the duties on flax and manufactures thereof amounted to $6,934,374.90, or 3.60 per cent.

"The duties collected on these six commodities and classes of commodities amounted to $133,580,347.88, and constituted 69.01 per cent. of the total amount of duties collected on imports.

"No better evidence than this official statement is needed to show the utterly reckless perversion of the taxing power exercised in the construction of the existing tariff. Why is it that it takes all the balance of the dutiable articles on the long tariff list to make up the remaining $60,000,000 of the revenue received by the Government when these six commodities produce so much? The answer is plain. The range of duty is so high, so extremely protective, that very few foreign goods are imported; so the Government receives very little revenue; but these same excessive duties are added to the price of the domestic article, and the whole of it goes into the pocket of the manufacturer, because the people are compelled to buy. Take the article of blankets as an example. They are universally used throughout the country. The duty on them is from 85 to 104 per cent. It is estimated that $20,000,000 worth of blankets are bought annually in this country; yet for the year 1881 official reports show that only $1,239 08 worth of blankets were imported from abroad, and the revenue of the Government on that importation amounted to only $1,089 05. The 100 per cent. duty was added to the cost of blankets made in the United States, and was pocketed by the manufacturers, the people having it to pay.

"Flannel, another article entering into universal consumption, worn in some form or other by all our people, of every age, sex, and condition—an article for which a very much greater amount must be paid annually than is expended for blankets. The duty on flannels ranges from 88 to 95 per cent., and is prohibitory. For the year 1880 the flannels of every character and description imported from abroad amounted to $3,082 98 worth, and the revenue coming to the Government to $2.435 05, the manufacturers again receiving the duty from the people, and the Government nothing, virtually.

"Wool hats, such as our people generally wear, are taxed in the tariff 20 cents per pound and 35 per cent. ad valorem, compound duty, and not one was imported. The Government derived not one cent of revenue, but the people paid the duty in the price of the article to the manufacturer.

"So with shirts, draws, and other knit goods so generally worn; duty prohibitory, none imported.

"So with shot: duty, 2¾ cents per pound; revenue from shot, only $61.60.

"So with back saws, cross-cut saws, and hand-saws; the entire revenue derived from them for the Government, $62.73; duty prohibitory.

"Horseshoe-nails: duty five cents per pound; prohibitory; revenue, $16.80.

"Wire, (such as our people use for fencing;) duty prohibitory; importation and revenue nominal.

"Screws for wood: duty prohibitory; importation and revenue nominal.

"Cut nails and spikes: duty prohibitory; importation and revenue nominal.

"Galvanized or coated iron: duty prohibitory; importation and revenue nominal.

"Cast and wrought iron hinges, board nails, rivets, and bolts: duty prohibitory; importation and revenue nominal.

"Bessemer steel rails, universally used now in construction of our railroads. The United States manufactures these rails more largely than any other country in the world. Price of these rails in England, from $30 to $35 per ton; our tariff duty, $28 per ton; price in the United States, $67.50 per ton. Domestic product consumed in the United States during 1880, 1,112,690 tons. By comparing price in England and the United States, it will be seen that every dollar of the duty was added to the domestic product. Bounty to the manufacturer in this one

article alone, $31,155,320, which is refunded by the people, with interest doubly compounded *annually*, to the railroad companies in increased charges for freight and passengers. The duty prohibitory until the unprecedented amount of railroad building now going on commenced, and will be again as soon as it subsides.

"So with heavy cotton goods, universally used by our poorer people, in which our manufacturers excel the world. Duty prohibitory; importation and revenue nominal

"Common soap, of universal consumption: compound duty of 1 cent per pound and 30 per cent. ad valorem.

"Toilet soap: duty 10 cents per pound and 25 per cent. ad valorem.

"Millions of dollars' worth of these two articles are sold to the people annually with these compound duties added to the price; yet the revenue derived from them is only $145,722.02.

"I could go on and fill pages with quotations from the tariff list of articles of daily use among the people with duties so excessive as virtually to exclude importation and thereby destroy revenue, but on which the consumers pay the duty to the manufacturer in the price of the domestic article.

"A tariff framed like this, which taxes the people from head to foot as this does in behalf of full-grown, fully-developed manufacturing industries as ours are, able to compete with the world in open market, is subversive of every principle of justice between men as it is destructive of the revenues of the Government. This is *protection*, so-called. I call it robbery under the forms of law.

"A most remarkable and most odious feature about this tariff is that instead of the tax being laid upon luxuries, so that those most able to bear its burdens should do so, the commonest articles of universal consumption and absolute necessity for the poorest people are taxed the highest. Discarding fractions, wool hats are taxed 66 per cent. and silks 60 per cent.; salt is taxed 65 per cent. and diamonds 10 per cent.; trace-chains are taxed 57 per cent. and treble ingrain carpets 50 per cent.; Brussels carpets are taxed 68 per cent. and coarse blankets 104 per cent.; fine woolen rugs for the lady's parlor and covers to keep the dust and moisture from her piano are taxed 45 per cent., while flannels, to keep the baby warm, to protect the shivering invalid, the strong workingman and his wife, and the aged people alike from the freezing blasts of winter, are taxed 95 per cent.; plain unbleached cotton cloth for shirts and other garments of honest working people is taxed 49 per cent. and the window glass in their houses 60 per cent., while fine porcelain ware for the rich man's table is taxed only 45 per cent., and artificial flowers and feathers for the adornment of his wife and daughters pay only 50 per cent. Such instances could be multiplied into the hundreds. Medicines and their ingredients are taxed all the way from 30 to 220 per cent.

"I appeal to the tariff list in proof of the assertion that the poor people, the working people of the country, who are least able to bear it, pay more than double the amount of taxes under the tariff, in proportion to their consumption, than any other class.

"In order to illustrate the operations of the tariff on individuals, I read an extract from a speech of Hon. Fernando Wood, delivered in the House in April, 1878, as follows:

"The influence of the tariff on the commonest kind of mixed woolen dress goods, such as are worn by the poorest classes in the country, is of a nature that requires the most serious consideration.

"Fancy alpaca, costing in England 7½ cents per yard, is subject to a duty of 5 cents per yard, and sold in this market at 20 cents per yard. Now, as it takes twenty yards of this stuff to make a dress, the poorest woman of our working classes pays a direct tax of $1 for a dress. Black alpaca, costing in England 5¾ pence or 11½ cents of our money, is subject to a duty of 8½ cents per yard. This article is sold for 27½ cents per yard and worn by the millions of our population. Surely an article costing in England 5¾ pence cannot be considered a luxury; yet we find that the pernicious working of our tariff is of that kind which oppresses the poorer classes in all their necessaries of life. Black cashmere is worn as a Sunday dress by millions of our industrial classes. The cost of these goods in Europe is 26 cents, the duty thereon amounts to 18½ cents per yard, and is consequently sold at 55 cents a yard wholesale in the United States.

"Now, do our people generally understand what such a duty really means? A workingman in Europe buying a dress of this kind for his wife and using only ten yards of it would get it at $2.60, whereas his brother-workman in the United States, if he wishes to treat his wife with a dress of this class, would have to pay $5.50 for the same dress, or more than double.

"The question therefore arises whether it is absolutely necessary to charge a tax of $1.85

on a dress of this kind, coming as it does out of the pocket of the hard working man for the benefit of sustaining the Government and the industries of this country. Surely it must be admitted that there is no country in the world where an equal taxation is laid upon the labor and industry of the hardest working man of the population.

"The same may be said with greater force as to blankets and flannels and woolen hats and clothing generally, as the duty is higher, and with equal truthfulness of cotton goods, calicos, &c.

THE FARMERS BURDENS.

Senator Coke also quoted from Mr. Wood's speech some facts and figures of peculiar interest to the farmer.

"The farmer whose whole mind is bent on his agricultural pursuits, has neither the time nor opportunity to investigate the influence of the tariff on his household expenses; it is a fact, however, that every article he uses is either directly subject to a tariff tax or enhanced by the tariff. Let us enumerate these burdens: the farmer's house in the West, where lumber is scarce, pays either a direct or enhanced tax of 20 per cent. on the lumber his house is built of; a tax of 35 per cent. on the paint it is painted with; of 90 per cent. on his window-glass; of 35 per cent. on the nails; of 53 per cent. on the screws; of 30 per cent. on the door-locks; of from 35 to 40 per cent. on the hinges; of 35 per cent. on the wall-paper; of from 60 to 70 per cent. on his carpet; of 40 per cent. on his crockery; of 38 per cent. on his iron hollow ware; of 35 per cent. on his cutlery; 40 per cent. on his glassware; of from 35 per cent. to 40 per cent. on the linen he uses in the household; of 51 per cent. on common castile soap he uses; 48 per cent. on the starch. When he goes into his stable, barn, or workshop he will find that he pays 35 per cent. on the iron he uses; 53 per cent. on the halter-chains; 45 per cent. on the files and rasps he may use; 47 per cent. on the back-saw; 49 per cent. on cross-cut saw; 38 per cent. on the hand-saw; and 35 per cent. on any sheet-iron he may require. On his medicines he pays 20 per cent.; on the quinine pills he swallows, 20 per cent.; on blue pills, 40 per cent., and 40 per cent. on any medicinal preparations. The female portion of his house cannot even go into hysteria without paying a tax of 20 per cent. on asafetida that may be required to quiet their excited nerves. On his sugar he pays a tax of at least 60 per cent. As for the clothing he and his family uses, let me enumerate the tax separately: on his wool hat he pays from 60 to 80 per cent.; on his fur hat, from 45 to 60 per cent.; on his suit of woolen clothes, some 55 per cent.; on the leather for his boots and shoes, 25 per cent.; on his hosiery, 35 per cent.; on his wife's and daughter's common alpaca dress he pays 65 to 70 per cent.; on spool-thread, 70 per cent., and on needles, 35 per cent. If I were inclined to pursue these topics further it would take up too much time; suffice it to say that the furnishing of his child's cradle and the coffin in which he is finally buried pay a direct tax or are enhanced in price by our tariff system.

The burdens resting upon the farmer were very forcibly and graphically described by Mr. TURNER, (Democrat,) of Kentucky, in a speech in the House, March 7, 1882. He said:

"Here is a statement showing a few of the burdens of the farmer: Under this tariff he rises in the morning, puts on his common flannel shirt taxed 95 per cent., his coat, taxed 57 per cent.; shoes, taxed 35 per cent., and hat, taxed 92 per cent.; takes the water from a bucket taxed 35 per cent. and washes his face and hands in a tin bowl taxed 35 per cent.; dries them on a cheap cotton towel taxed 45 per cent. He sits down to his humble meal and eats from a plate taxed 50 per cent., with a knife and fork taxed 35 per cent.; drinks his coffee with sugar taxed 68 per cent.; seasons his food with salt taxed 69 per cent., pepper, taxed 61 per cent. He looks round on his wife and children all taxed in the same way; takes a chew of tobacco taxed 199 per cent. or lights a cigar taxed 118 per cent. And, sir, even the sunlight from heaven that pours into his humble dwelling must come through window-glass taxed 59 per cent.; and yet he thinks he lives in the freest government under heaven. Then he starts to work; puts a bridle taxed 35 per cent. on his horse, and takes his horse that has been shod—the nails used in shoeing being taxed 59 per cent., driven by a hammer taxed 20 per cent.—and hitches him to a plow taxed 45 per cent. with chains taxed 58 per cent.; and after the day's labor is closed and his family are all gathered around, he reads a chapter from his Bible taxed 25 per cent. and kneels to God on an humble carpet taxed 51 per cent.; and then he rests his wearied limbs on a sheet taxed 45 per cent. and covers himself with a blanket that has paid 104 per cent. Nor do these grasping manufacturers stop here, but even the broom with which his good wife sweeps the floor is taxed 35 per cent., and the cooking vessels used in preparing her husband's frugal meal are taxed 42 per cent., and the soda used

to lighten his bread taxed 59 per cent. She sits down to her sewing with a needle taxed 25 per cent. and a spool of thread taxed 74 per cent. to make a calico dress taxed 58 per cent.; or if she wishes to knit warm socks to protect her husband and children from the bitter cold she uses yarn taxed 120 per cent.; and thus daily and hourly must the hard earnings of the laborer go to satisfy the manufacturer and add to his ill-gotten wealth. [Great applause.]

UNEQUAL DISTRIBUTION.

He also presented the following statement showing the unequal distribution of the burden. In reply to an interruption by Mr. VALENTINE (Republican) he said:

"If the gentleman will wait until I get through he will find I will apply the whole argument, and show the bill he has reported does not benefit the agriculturists to any great extent, and is wholly inadequate. [Applause.]

"Mr. Chairman, of the $193,000,000 of tariff duty collected and paid into the Treasury upon foreign importations of goods, $133,580,347,88 is collected on six articles, as follows:

Sugar and molasses	$47,984,032 84
Wool and woolen goods	27,285,624 78
Iron and steel, and manufactures of	21,462,534 34
Silk	19,038,665 81
Cotton goods	10,825,115 21
Flax and linens	6,984,374 90
Total on the six articles	133,580,347 88

"Now it requires all the duty collected on the balance of the dutiable articles, which are 1,994, to make up the other $60,000,000 of duty which goes into the Treasury simply because the tariff duty on all these other articles is so high that but little is imported. The tariff is almost prohibitory, and the manufacturer can charge what he pleases on these 1,900 articles.

"Such is the injustice of this tariff, formed not for revenue, but to rob the farmers and other consumers for the benefit of the manufacturers, I might say, 'only.'"

EVILS AND COMPLICATIONS.

The evils and complications of the present tariff system were clearly stated by Mr. DUNNELL, of Minnesota, a distinguished member of the Committee on Ways and Means, and a Republican sufficiently liberal and independent to break loose from his party upon this important, material question. In a speech delivered in the House March 30, 1882, he said:

"In order that I might be able to present to the House a fuller list of the articles that have caused litigations and embarrassments to the collectors of the Government, I addressed a letter to the honorable Secretary of the Treasury, the tenor of which will be discovered in the following reply:

TREASURY DEPARTMENT,
"*February* 18, 1882.

SIR: I am in receipt of your letter of the 14th instant, in which you request, as a basis for presenting some views to Congress in regard to a revision of the tariff, a statement of the questions which have been presented of conflicts in construction between the importers and Treasury officials in regard to the law governing the collection of duties on imports.

In reply I inclose a tabular statement which presents the questions involved in cases of the greater magnitude before this Department. It is not practicable to give you the amount involved in each class of cases thus arising. In the sugar case I think it safe to say that not less than $1,500,000 is involved, exclusive of interest and costs.

Very respectfully,

"CHAS. J. FOLGER, *Secretary.*"

Hon. MARK H. DUNNELL,
"*House of Representatives, Washington, D. C.*"

"The honorable Secretary furnishes, as a part of his letter, a list of articles with remarks applied to each article. These articles are: Measurement of ale, aniline colors, bottles, cottons, iron ore, sugars, silk and cotton goods, statuary, plaques, wool knit goods, granite, steel blooms, steel wire rods, cotton-ties, glucose or grape sugar, bone-black, steel cross ends, scrap-iron, and goat hair and cotton goods.

I will here read what he has said upon a few of these articles:

COTTONS.

"The cotton tariff found in Schedule A is so complicated and cumbersome that it gives rise to innumerable questions. A large number of appeals have been filed under this schedule, some of which relate to the question whether certain classes of goods are goods of like description to those which are specifically named. Other questions arise in relation to whether fabrics which are irregularly woven or are open-work goods are to be considered as dutiable according to the number of threads to the square inch. The whole cotton tariff, more than any other of the tariff schedules, needs simplification and revision, and thus put an end to the embarrassing questions which now arise.

IRON ORE.

The Treasury Department has classified iron ore under the provision in Schedule M for mineral and bituminous substances in a crude state not otherwise provided for at the rate of 20 per cent. ad valorem. Appeals have been filed against this classification upon the ground that it is dutiable only under the provision in section 2516 for non-enumerated manufactured articles at a duty of 10 per cent. ad valorem, this claim being based in part upon the ground that iron ore is not a mineral substance, but a metallic substance. The courts, however, have sustained the action of the Treasury Department.

SUGARS.

The action of the Treasury Department in regard to the collection of duties upon sugars is based upon the order of Mr. Secretary Sherman, of September 2, 1879, which related to sugar claimed by the officers of the Government to have been artificially colored for the purpose of evading the duty due thereon by the Dutch standard. A copy of that order is inclosed herewith. Some three hundred suits are now pending at the port of New York upon the question involved, and the claims therein amount to over one million two hundred thousand dollars, besides interest. One case was tried at New York, and the verdict was against the Government. The question was lately argued in the Supreme Court of the United States on a writ of error, and it is expected that a decision will be reached at an early day. Considering the fact that the duties on sugars collected last year amounted to $43,000,000, or about 21 per cent. of the total revenue from customs, the importance of some plan by which disputes can be avoided, and the proper duties collected, cannot be overrated.

"Of course I should state that since this letter was written to me the Supreme Court of the United States has decided that the order of Secretary Sherman was illegal. As a result of this important decision not only will the Treasury be called upon to give up between one and two millions of dollars illegally collected under that order, but henceforth, if we fail to amend the law, the law regulating the importation of sugar, the flood-gates to fraud now opened will remain open until the tariff commission can report, and until in the unknown future, Congress awaiting the report of the commission, shall meet the urgent necessity.

"I will make as a part of my remarks the following further portions of the letter of the Secretary:

SILK AND COTTON GOODS.

"Under the act of February 8, 1875, (18 Stat., p. 307,) all goods made of silk, or of which silk is the component material of chief value, not otherwise named in the act, are liable to a duty of 60 per cent. ad valorem, provided they do not have as a component material 25 per cent. or over in value of cotton, flax, wool, or worsted. If the goods have over 25 per cent. in value of either of these materials they are remanded for duty to the provisions of Schedule H

"A large number of appeals have been taken on the question of fact whether goods have 25 per cent. or over of the named materials, and it seems unwise to have a double test for the classification of these goods, namely: Silk, chief value, and then 25 per cent. in value of the named materials.

WOOL KNIT GOODS.

"The question in this class of cases is whether such goods are dutiable under the provis-

ion in Schedule L, reproduced from the act of March 2, 1867, under which they have been classified by the Treasury Department both before and since the passage of the Revised Statutes, or whether they are dutiable under the provision in Schedule M for articles made on frames of whatever material composed, except silk and linen, at a duty of 35 per cent. ad valorem. One case involving the question went to the Supreme Court, which decided in favor of the lower rate of duty. The mandate was, however, subsequently stayed, and the case is now waiting a motion for permission for a reargument. It is a very important question, involving large interests to importers and to domestic manufacturers of this class of goods. This question arose out of a blunder in the Revised Statutes, which reproduced in Schedule M the paragraph referred to, and which had been repealed, so far as concerns woolen goods, by the act of 1867.

STEEL BLOOMS.

"Schedule E, reproduced from the tariff act of 1864, provides for duties according to value on steel in ingots, bars, coils, and sheets. These duties range from 2½ cents per pound to 3½ cents per pound and 10 per cent. ad valorem. The first form of steel is an ingot. An ingot is cut into a number of pieces and rolled, and is then a bloom. Blooms are not named in the tariff, and it has been stated that at the time of the passage of the act of 1864 the name "blooms," as applied to steel, was not known in the United States; at all events, blooms are not named in the law. The question arose in 1867 whether steel blooms were liable to the duty imposed on steel in ingots and bars, and it was held that they were not, but were dutiable under another provision in Schedule E for manufactures of steel not otherwise provided for. Against this decision appeals have been taken, based upon the ground that the article is not a manufacture of steel, but is dutiable at the rate of 30 per cent. ad valorem under the provision in Schedule E for steel in forms not otherwise provided for. It certainly is anomalous that steel in ingots, which is the first form of steel, and bars, which is a more finished form, should be assessed with the high rate of duty imposed by the tariff, while the intermediate forms of steel in blooms should be subject only to a duty of 45 per cent. ad valorem, or 30 per cent. ad valorem, which is only about one-fourth of the duty on steel in bars, according to the present prices of the materials abroad.

COTTON-TIES.

Schedule E imposes duties ranging from 1¼ to 1¾ cents per pound, according to width and thickness, upon band, hoop, and scroll iron. A cotton-tie is a piece of hoop-iron which has been cut to the proper length of 11 feet to go around a cotton bale. In connection with the band is a buckle, designed to fasten both ends around the bale. Some of the bands as imported have the buckles riveted to the end of the band, while others have the buckle detached, to be placed on the end of the tie in the act of baling.

"The question in this class of cases is whether cotton-ties are to be classified as hoop-iron, or, as claimed by the importers, as a manufacturer of iron not otherwise provided for, at 35 per cent. ad valorem Under the present decisions the cotton-ties which have the buckle permanently attached to the bands are admitted at 35 per cent. ad valorem, while the bands not having the buckle permanently attached are classified as hoop-iron. The courts have ruled against the classification of the latter as hoop-iron in favor of 35 per cent. ad valorem; and a case involving the question is now before the Supreme Court of the United States. The minimum rate of duty on hoop-iron is 1¼ cents per pound, or $28 per ton, while the duty at 35 per cent., based on present prices in England, is about $13.50 per ton.

STEEL CROP ENDS.

"This article is the result of the manufacture of steel rails, and consists of pieces cut off at each end to make the rails of uniform length. Some of the crop ends are very short, while others are of greater length. The shorter pieces have been generally classified as steel in forms not otherwise provided for, at a duty of 30 per cent. ad valorem, while the longer pieces, which are adapted to many of the uses of steel in bars, have been classified as steel in bars.

"The work of drawing a dividing line between the two classes has been, and continues to be, one of difficulty, and is embarrassing to merchants and to the customs officers.

SCRAP-IRON.

"Schedule E imposes on wrought scrap-iron of every description $8 per ton, but provides that nothing shall be deemed scrap-iron except waste or refuse iron that has been in actual use, and is fit only to be remanufactured. There are great quantities of scrap-iron, which, in the sense of the statute, have never been in use, which consists of pieces of new iron, or pieces which are left as residuum in the process of manufacture. This latter class of merchandise has been obliged to be excluded from the classification of scrap-iron, because it has never been in actual use. No reason is perceived why both classes may not properly be placed on the same footing.

GOAT'S HAIR AND COTTON GOODS.

Schedule L imposes upon manufactures of wool not specially enumerated a duty of 50 cents per pound, and in addition thereto, 35 per cent. ad valorem, while upon manufactures of goat's hair the duty ranges from 20 cents per pound to 50 cents per pound, and in addition to each 35 per cent. ad valorem. Goods are imported which, it is claimed by the importers, are composed of goat's hair and cotton, without any admixture of wool, and it

requires the most critical examination to decide whether the goods are as claimed or whether they are manufactured wholly or in part of wool. These cases require much care on the part of the officers of the customs, and consume great time in the settlement of the questions involved in each case.

There have been many other questions before the department on appeal, but they have been minor ones, not of general importance, so that they are not referred to in detail here.

"Here we have a reference to only a few of the articles reported in regard to the duty upon which the collection officers of the Goverement find daily and hourly trouble. In this statement are found reasons for the legislation which this bill has ultimately in view, and which it is my purpose to show this Congress should at once undertake. It is not as yet in argument maintained that the tariff should be revised because we are raising under it larger revenues than are needed by the Government. My attempt thus far has been to set forth sufficient reasons for its modification without making any reference to the rate of duty affixed to any single article of import. Conceding that the existing tariff has fully met the double purpose of its enactment—a supply to the national Treasury with the moneys needed to meet the wants of the Government, and protection to the manufacturing interests of our people as they might be affected in a larger or less degree by the importation of the productions of other nations; and conceding further, for the sake of argument, that the existing tariff has fully met each purpose which its framers had in view, still the reasons given for its modification are ample and well taken.

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"But, in my opinion, the time has now come when less revenues from customs are needed by the Government. The estimated receipts for the fiscal year are $400,000,000. The total estimated expenditures, including the sinking fund, are $340;462,507.60, leaving an estimated surplus of $59,537,492.55. Excluding the sinking fund, the estimated expenditures will be $294,850,793.43, showing a surplus of $105,149,206.57. In the above estimated expenditures for the next fiscal year is the item of $100,000,000 for pensions. The amounts called for during the next fiscal year for the sinking fund should be collected and set aside. If it is, then there would be a surplus of $60,000,000 in round numbers. To this fact our attention has been called by the Secretary of the Treasury; and he deems the policy of purchasing in the market the 4 and 4½ per cent. bonds of doubtful propriety, and therefore discusses methods of relief.

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"The condition of the Treasury, the increase of the surplus in it, does not in my opinion constitute the only argument for a reduction of tariff rates A weighty argument is found in the rates themselves. Upon some articles of importation we raise altogether too much revenue; from others we raise far too little. I shall now enumerate some articles the present rate of duty upon which should be reduced; and shall maintain that a reduction can be made with no damage or even an approach of damage to the home industry or interest. This enumeration which I now propose to read is not made wholly to show that the duties are too high, but in part for the purposes of illustration further on in my remarks:

"BLANKETS.

"Blankets, when valued at not exceeding 40 cents per pound, pay a duty of 20 cents per pound, and 35 per cent. additional. The average ad valorem rate of duty has been, for the last year, 76.63. The whole amount of revenue collected from this class of blankets for the last year was only $238.56. The average ad valorem rate of duty upon the second class was 90.49, and naturally the amount collected was but $79.74. Upon blankets of the third class the duty is 40 cents per pound, and 35 per cent. additional. The average ad valorem rate of duty has been 93.91, and the amount collected $258.50. The next two classes pay a duty of 50 cents per pound, and 35 per cent. additional. The average ad valorem rate of duty in one case was 71.50, and in the other 85. In the latter of the two classes the amount collected was but $17, and in the other only $898.65. The entire amount of duty collected for the last fiscal year on blankets was $1,452.10.

"FLANNELS.

"Flannels are put into five classes for the collection of duties. The first class is then valued at not exceeding 40 cents per pound, with a rate of duty at 20 cents per pound and 35 per cent. additional. The average ad valorem rate of duty was 95.00, and the sum of 95 cents was brought into the Treasury. The average rate of duty upon the second class of flannels has been 102.69; of the third class, 95.68; of the fourth class, 65.43, and of the fifth class, 65.45. The amount collected during the last fiscal year was but $16,130.81.

"HATS.

"Hats, when valued at above 40 and not exceeding 60 cents per pound, pay a duty of 30 cents per pound and 35 per cent. additional. The average ad valorem rate of duty for the last year upon this class was 93.90. and the amount collected was $4.31. The average ad valorem rate of duty upon the second class was 96.03, and the amount collected $47.21. The average ad valorem rate of duty of the third class of hats was 58.22, and the amount collected for the fiscal year on all the classes was $599.34. The mean average ad valorem rate of duty upon these three classes of goods, needed in every family in the land, has been 83.62, approaching 100 per cent."

"Gentlemen may anticipate, and reasonably, the use to which I may put these figures before I close; for if protection to be such must work prohibition, then these citations will be very apt illustrations of duties laid for revenue, but which are substantially prohibitory, and hence yield little or no revenue. These duties, as will be seen, actually destroy or render impossible any competition between the home and foreign producer. This may be all very satisfactory to the home producer, but is not so to the consumer.

"THE MANUFACTURES OF SILK.

"The manufactures of silk, embracing braids, laces, fringes, galloons, buttons and ornaments, dress and piece goods, floss, hats, caps and bonnets, hosiery, pongees and vestings, ready-made clothing and ribbons, have paid an average ad valorem rate of duty from 60 down to 35 per cent., a mean average of 56.50, while the mean average duty upon blankets, flannels, and hats has been 83.63. I was educated in the belief that duties should, as far as possible, be higher upon articles purchased by the rich or by the few, and lower upon those needed by all, and consequently by the poor. The present tariff does not now so appear. If it was originally so constructed, then its present operation furnishes the best possible argument for its construction.

"SUGAR.

"I call the attention of the committee to the large amount of revenues derived from sugar, molasses, and melada during the last fiscal year. The Secretary of the Treasury makes the following statement in his last annual report:

"The duties connected with sugar, molasses and melada during the past fiscal year amount to $47,997,137, or nearly one-quarter of the whole amount of our revenues from customs. The difficulties attending the collection of these duties have largely occupied the attention of committees of Congress during several past years. The Dutch standard of color, as applied to the apparent color of imported sugars, is no longer a test of the saccharine strength or value for refining purposes."

"Aside from the facts given in the above extract, which alone constitute an argument for an early revision of the tariff, I allude to the subject of sugar, and insist that the amount of revenues collected from it is wholly disproportionate to the whole amount collected. Sugar is an article of universal consumption. It comes to the tables of the poor as well as the rich, and, indeed, to the former in greater proportion than to the latter. It is made to pay into the Treasury nearly one-quarter of the whole amount of our revenues from customs. It cannot be contended that the large protection which is furnished by the present tariff is needed by the producers of sugar in this country. The rates under the Dutch standard of color are as follows: 1¾ cents per pound plus 24 per cent. per pound on sugar not above No. 7; 2 cents plus 25 per cent. on sugar above No. 7 and not above No. 10, 2½ cents plus 25 per cent. on sugar above No. 10 and not above No. 13; 2¾ cents plus 24 per cent. per pound on sugar above No. 13 and not above No, 26; 3¼ cents plus 25 per cent. per pound on sugar above No, 16 and not above No. 20; and 4 cents plus 25 per cent. per pound on sugar above No. 20. The total amount of sugar imported the last year for consumption was 1,869, 173,097.50 pounds, valued at the ports of shipment at $82,725,087.27. The duties were $45,933,045.09, or a fraction above 54 per cent. ad valorem. The amount collected the last year exceeds the amount received the preceding year by $6,825,788.74, while the increase of duties on total entries for consumption was but $11,052,226.12, so that the about 62 per cent. of the increase on all duties came from sugar.

THE FREE LIST.

"Many articles not produced in this country now paying a high rate of duty

should be carried to the free list. The spices now pay duties equivalent to an ad valorem duty from 34 per cent. to 780 per cent. Spices paid an aggregate duty last year of $1,124,532.48.

DIAMONDS.

"When it is remembered how high the duties are on articles of common consumption, and to which I have alluded, it will appear curious that diamonds 'not set' pay under this tariff only 10 per cent.

"If reductions in taxes are to be made—and I contend that they may be and should be—and to the amount of $60,000,000, from what sources can one-fifth or one-fourth, or indeed one-third, of these come so well as from a reduction in the duties on this article of prime necessity?

"In England there is no duty on sugar. Sugar costs there hardly half its present price here. The consumption of sugar in England is about 69 pounds per capita, and in this country about 38 pounds per capita. This article of prime necessity and healthfulness is kept away from the laboring people of this country—is kept away from the masses by this enormous tax upon the raw material."

DUTY UPON STEEL.

On the subject of steel manufactures, he presented the following instructive statistics:

"Under this heading I shall have time to do no more than refer to steel rails and indicate some of the ill effects of the present high rate of duty upon steel. The following extract is from the Bulletin of February 15, 1882:

In the following table we give the statistics of the annual production of steel rails in the United States since the commencement of their manufacture, together with the average annual price at which they have been sold and the rates of duty imposed on foreign rails. The yearly price has been obtained by averaging the monthly price.

Year.	Product, in gross tons.	Price, in currency'	Duty.
1867	2,277	$166 00	45 per cent, ad valorem.
1868	6,541	158 50	
1869	8,616	132 25	
1870	30,357	106 75	$28 per ton.
1871	34,152	102 50	
1872	83,991	112 00	
1873	115,192	120 50	
1874	129,414	94 25	
1875	259,699	68 75	
1876	368,269	59 25	
1877	385,865	45 50	
1878	491,427	42 25	
1879	606,397	48 33	
1880	852,196	67 50	
1881	1,200,008	61 13	

The steel-rail mills of this country can this year produce fully 1,500,000 gross tons of steel rails if that quantity should be needed. We do not need to import a ton of steel rail today to meet the present demand, and as a matter of fact indications point to an early virtual termination of all importations of both steel and iron rails.

"I shall allude further to this extract when I allude to some of the remarks made by the gentleman from Massachusetts, [Mr. RUSSELL.]

"The duty of $28 per ton on steel rails was fixed in 1870. It is not my purpose to discuss whether the duty was then too high or what effect the rate has had in reducing the cost of rails, but insist that a continuance of of this high duty is well nigh a crime. During the last year 372,375,307 tons of steel rails were imported into the United States. paying an aggregate revenue of $4,654,691.31. Steel rails are now made at about the same cost of iron rails. The above table

shows the growth and capacity of the mills. The profits of these have been for the last few years simply enormous. The census returns show that they were in 1880 from 60 to 70 per cent. on the entire investment. Every person traveling upon a railroad or sending a pound of freight on it is compelled to contribute to these vast profits. This high rate can and should be reduced at once. Experts are not needed to decide so simple a question. A large manufacturer of Bessemer steel rails in Saint Louis, within the last sixty days, assured me that the duty could be reduced to $14 per ton and the manufacturers still realize large profits on their investment. Enhanced cost in the construction of the railroads of the country is a continuing burden upon the producer. All profits must be paid for by somebody. Reasonable profits are right and rightly fostered, but profits which create and sustain monopolies have no claim upon legislation for their continuance. It would be easy to show these profits, The production in 1881 was 1,200,000 tons.

Permit me just here to say that when we look this steel question fairly in the face we can find no possible reason for the continuance of this large duty of $28 per ton. Nearly four hundred millions of tons of steel rails were imported into the United States during the last year. notwithstanding this high rate of duty. No interest which has been fostered by the Government till the annual profits on the investment ranges from 60 to 70 per cent. has any right to ask for any further time. Such profits are dangerous. They are unhealthy. The steel rail manufacturers are loudest in their demands for a commission. A commission pleases them. It gives them more time to continue the burden upon the movers of our vast internal commerce by rail.

FORTUNES FOR THE FEW.

The monopoly characteristics of the present tariff, and the individual fortunes made under it, were forcibly illustrated by the recent testimony before the Tariff Commission at Long Branch by John D. Dix, Esq., representing the drug and chemical trade. He said:

"I do not come here with any personal axe to grind, but having had forced upon me in 1862 the preparation of a considerable share of the figures of the war tariff in reference to articles in my own trade, besides having had a long experience of 40 years in this business, I thought my views might possibly be of some value to the Commission.

"You have had here the chemical manufacturers day after day. The gentlemen who have appeared before you are of very high character, and I would take their word on any subject at any time, excepting where they are personally interested, and there, perhaps, their judgment might be warped. I want to say before I go any further, that I have merely taken up a few articles put down in 1862 in our list, to show you what has been done with them since.

"The temporary tariff act of July 14, 1862, was enacted solely as a war measure, and not to remain in force longer than the necessities of the case demanded. Let me select a few articles to show what has been done. Take the article of acetate of lead. It is merely sugar of lead, which is very largely used in manufacturing. We put a duty of 4 cents a pound on it. It has since been raised to 20 cents a pound. At present it stands 5 cents for brown sugar of lead, and 10 cents for white, which is 150 per cent. upon the price which I last received from Europe. I have not the latest fluctuations, for it has been utterly out of the question to import it for many years. No revenue, of course, is derived from that. Boracic acid and crude borax were put upon the temporary tariff at 5 cents per pound. No man in his senses would ever put a duty of that kind upon raw material, except upon an appeal to his patriotism. I find borax is placed at 10 cents a pound, giving a protection of 5 cents a pound to the manufacturer. Since that time—I do not know when, for I have not had time to look into it—the crude article has been made free; but the 10 cents a pound has been kept upon the refined article. The gentleman who has made the most money out of that will not appear before you. He came from Germany to New York in 1845, when a young man, to make his fortune. He is a very correct, upright, and honorable gentleman, and he has maintained his position in that respect all the way through.

The great bulk of his fortune is made out of a few of these things, notably out of this very article.

* * * * * * * * * * * *

"There are some things in the drug line that will bear a great deal of duty and make very little difference in the price to the consumer. We put opium at $2 a pound, and morphine, which is its alkaloid, at $2 an ounce. There were only two firms in the country who manufactured morphine at that time, and we gave them a protection of from 55 to 90 per cent. In Europe to-day, and always, since the manufacture of fine chemicals has become a business largely pursued, the price of morphine is less than half the price of opium. I have here the list of Powers & Weightman of the first of this month, from which I see that the price of the pure morphine on the 1st of July was $5.50 per ounce, while it was $3.75 for the sulphate of morphia. Opium cannot come into this country unless it contains 9 per cent. of pure morphine. From that point it runs up to 14 or 15 per cent. I have seen it at 16 per cent, but that was exceptional. Now, if one hundred pounds of opium yields 9 pounds of morphine, supposing the opium to cost $4 a pound, duty paid, you can see there is considerable chance for sulphate of morphine at $3.75 an ounce making a very handsome profit. They put the pure alkaloid at $5.50, and sulphate of morphine at $3.75. The last price that I received from Edinburg, where there are large manufactories of morphine, was 6*s* 6*d*.; that is about $1.60 in round numbers. I think the price here is very dear in proportion. Let me say to you that when I first became acquainted with Messrs. Powers & Weightman, and Mr. Rosengarten, in 1845, they were manufacturers, and I do not suppose both together manufactured 100 cases of opium into morphine in a year. I believe last year Powers & Weightman made made 1,500 cases into morphine. There was an immense fortune inthat business, and they made it. Mr. Powers died worth probably from $7,000,000 to $10,000,000.

"I now come to a more important article. Peruvian or cinchona bark. We put 25 per cent. duty on that in 1862, and 45 per cent. duty on quinine and its other products Unfortunately, I have not kept that list; but I remember the fact that we went over the list immediately after the passage of the act, and found that about 85 per cent. of our figures had been engrafted into the bill. Cinchona bark, that time, paid 25 per cent.; the product of the bark (quinine), 45. Since that time (in 1864, I think) the bark has been made free, and 20 per cent. has been kept upon quinine, and 40 per cent. upon other products of the bark. In the year 1879, as you all know, a popular movement was started and quinine was made free. The members of Congress intended to make every product of Peruvian bark free; that was the intention of the promoters of the bill; but lawyers are not quite as apt to know of these chemicals as some other people. If they had known that there were other products beside quinine and its salts, they would not have put that particular phrase in which excluded the rest. Quinine is of more importance than all the other products; next in value is cinchonidia, and on which the duty remains at 40 per cent.; and of this salt Powers & Weightman have pretty much swept the European market; it has been nearly all absorbed by them."

EXPENSE OF COLLECTION.

Another colossal evil of the present tariff system—the cost of collecting its revnues—was forcibly srated by Mr. THOMPSON, (Dem.) of Kentucky. In a speech upon the floor of the House June 21, 1882, he said:

I do not propose to go into any long-winded speech on the tariff question, but I cannot allow to pass without reply the statement that the tariff system is the most economical way in which money can be collected I say that it costs more per dollar to collect money by our tariff duties than it doet by the internal-revenue system. It costs $6,000,000 a year, directly paid in fees, to put $198,000,000 collected from customs duties into the public Treasury, whereas to collect under your internal-revenue system $135,000,000, every dollar of which goes into the Treasury, costs only at the rate of 3.64 cents per dollar.

"Your tariff system costs not only the $6,000,000 paid directly every year to defray the expenses of collecting the customs duties, but this amount, as I can show you by statistics furnished by the Secretary of the Treasury, is increased by the amount paid in drawbacks, refunding, debentures, &c., besides the revenue-cutter service, which is maintained as a part of the system of collecting the customs duties, amounting in all to over $18,000,000, to which are to be added the enormous amounts expended in lawsuits and fees, and also the salaries of the men employed here in your Treasury Department, who are not calculated among the number engaged in the collection of customs duties, but whose duties are really performed in connection with that business. I say, then, It costs more than $18,000,000—more than 9 per cent. upon all the customs duties collected and put into the public Treasury.

Further on he called attention to the fact that there is an army of 4,273 employees engaged in collecting this customs revenue. And, in conclusion, he stated some facts which had been overlooked by the friends of this system, viz.:

"That to carry out the tariff system requires innumerable custom-houses, one almost at every point of entry in the United States; that there are many collection districts for customs duties in which the amount collected is far short of that which is expended in its collection; that in addition to all this expense in these pauper districts extravagant public buildings are likewise maintained; that there are no less than fifty-two in number in which less money is collected than is expended in its collection; that nine of these pauper districts are in the State of Maine, with six public buildings, in which comparatively no money is collected or goods are stored. I append to my remarks a list of these districts, showing the amount collected, the cost of collection, the number of officers employed, and their useless public buildings attached, and I invite the careful attention of the gentleman from Pennsylvania, the Committee on Ways and Means, and the country to this exhibit of the manifold duties and perfections of that cherished system of taxation which is to remain forever after all others are blotted out—which are to be retained in preference to specific taxes levied upon vice and corruption, and paid voluntarily by those who engage therein.

As an appendix to his speech he presented the following valuable statistics upon this point:

A list of customs districts which pay less than they cost.

Place.	State.	Cost.	Amount Collected.	No. of officers.	Public buildings.
York	Maine	$250 00	.....	1	.....
Frenchman's Bay	Maine	4,703 00	$228 16	6	.....
Waldoborough	Maine	5,200 00	2,095 37	7	$22,850 03
Machias	Maine	3,047 00	423 93	4	28,402 50
Saco	Maine	807 00	16 10	2	.....
Wiscasset	Maine	3,569 00	662 31	4	31,292 09
Belfast	Maine	3,712 00	1,291 77	10	37,436 58
Castine	Maine	4,882 00	500 00	6	15,111 78
Kennebunk	Maine	758 00	.....	4	2,555 92
Total	.....	26,928 00	4,217 64	44	137,659 80
Marblehead	Massachusetts	2,328 53	2,211 54	3	.....
Barnstable	Massachusetts	6,475 91	462 36	21	37,989 02
Newburyport	Massachusetts	2,956 00	2,348 03	5	30,899 97
Edgartown	Massachusetts	4,816 56	855 98	8	.....
Total	.....	16,577 00	5,877 91	37	68,888 99
Bristol	Rhode Island	1,590 64	.....	4	31,069 17
Newport	Rhode Island	2,805 75	1,025 25	7	38,749 64
Total	.....	4,396 39	1,025 25	11	69,818 81
Stonington	Connecticut	619 13	139 87	6	.....
Fairfield	Connecticut	1,701 00	1,911 78	5	.....
Total	.....	2,326 13	2,051 65	11	.....

A list of customs districts which pay less than they cost.—Continued.

Place.	State.	Cost.	Amount Collected.	No of officers.	Public buildings.
Sag Harbor	New York	918 00	.....	4	.....
Dunkirk	New York	2,192 00	20 70	2	.....
Total	.....	3,110 01	20 70	6	.....
Burlington	New Jersey	218 00	0 72	1	.....
Little Egg Harbor	New Jersey	3,881 18	.....	5	.....
Bridgeton	New Jersey	382 00	.....	3	.....
Total	.....	4,481 18	72	9	.....
Annapolis	Maryland	1,981 47	.....	4	.....
Eastern	Maryland	2,766 00	.....	2	.....
Total	.....	4,747 47	.....	6	.....
Petersburgh	Virginia	3,204 00	.....	7	104,531 27
Alexandria	Virginia	1,366 00	1,074 00	4	74,603 00
Tappahanock	Virginia	1,113 81	.....	2	.....
Yorktown	Virginia	1,583 93	.....	3	.....
Cherrystone	Virginia	2,664 96	.....	5	.....
Total	.....	10,032 70	1,074 00	21	179,134 27
Beaufort	North Carolina	2,194 00	13 84	7	.....
Pamlico	North Carolina	4,892 00	3,047 02	10	.....
Albemarle	North Carolina	5,407 93	.....	6	.....
Total	.....	12,493 93	3,050 86	23	.....
Georgetown	South Carolina	1,102 00	147 32	3	.....
Saint Augustine	Florida	1,765 00	59 75	6	.....
Saint John's	Florida	2,588 41	894 95	5	.....
Apalachicola	Florida	1,522 00	729 28	7	.....
Total	.....	5,875 41	1,683 98	18	.....
Natches	Mississippi	250 00	.....	.....	.....
Vicksburgh	Mississippi	129 99	.....	1	.....
Total	.....	379 99	.....	1	.....
Teche	Louisiana	7,041 00	235 86	7	.....
Saluria	Texas	13,079 19	12,817 05	11	.....
Sandusky	Ohio	2,824 00	618 82	9	80,175 12
Michigan	Michigan	3,096 00	2,831 53	19	.....
Evansville	Indiana	764 00	.....	2	234,423 89
Cairo	Illinois	1,472 00	.....	2	282,025 47
Galena	Illinois	876 00	.....	3	66,756 19
Total	.....	2,348 00	.....	5	348,781 66
La Crosse	Wisconsin	1,302 00	.....	1	.....
Duluth	Minnesota	6,189 00	3,048 23	6	.....
Burlington	Iowa	494 00	39 32	1	.....
Dubuque	Iowa	507 00	1,045 22	2	181,528 67
Total	.....	1,001 00	1,084 54	3	181,528 67
Omaha	Nebraska	1,570 00	1,566 00	2	356,002 95
Southern	Oregon	5,747 65	.....	2	.....
Puget Sound	Washington	20,559 28	8,425 54	17	.....

RATES OF DUTY.

Year.	Dutiable Imports.	Duty Per Cent.
1861	$218,180,191	18.14
1862	136,635,024	35.90
1863	208,093,891	33.19
1864	275,320,951	37.16
1865	194,226,064	43.75
1866	375,783,540	47.65
1867	372,627,601	47.34
1868	342,245,659	48.05
1869	395,859,687	45.48
1870	415,845,856	46.37
1871	483,635,947	42.64
1872	579,327,864	37.34
1873	497,320,326	37.82
1874	415,748,693	39.20
1875	379,795,113	41.38
1876	320,379,277	46.21
1877	298,989,238	43.79
1878	295,773,267	44.01
1879	296,742,215	44.95

TEST VOTE.

Now, how do the rival parties vote when an opportunity occurs to relieve the farmer of a little of his heavy and unequal burden?

Mr. TURNER, (Democrat,) of Kentucky, moved in the House of Representatives, June 5, 1882, that the rules be suspended and the following bill passed:

A BILL TO ABOLISH THE DUTY ON TRACE-CHAINS.

Be it enacted, &c., That the duty on trace-chains is hereby abolished, and from and after the passage of this act no duty shall be collected on importations of trace-chains, and they shall be placed upon the free list. And all laws and parts of laws inconsistent herewith are hereby repealed.

The question was taken; and there were—yeas, 73, nays 109; as follows:

YEAS—73.

*Aiken,	*Cox, William R.,	*Herbert,	*Robertson,
*Armfield,	*Covington,	*Herndon,	*Scales,
*Atkins,	*Cravens,	*Hoge,	*Simonton,
*Berry,	*Culberson,	*Holman,	*Sparks,
*Blackburn,	Darrall,	*House,	*Thompson, P. B.,
*Blanchard,	*Davidson,	JONES, GEORGE W.,	*Tillman,
*Bland,	*Davis, Lowndes H.,	*Jones, James K.	*Townshend, R. W.,
*Blount,	*Denster,	*Kenna,	*Turner, Henry G.
Browne,	*Dibrell,	*Knott,	*Turner, Oscar,
*Buchanan,	*Dowd,	*Latham,	*Vance,
*Buckner,	*Dunn,	*Lowe,	*Warner,
*Caldwell,	*Evins,	*Manning,	*Wellborn,
*Cassidy,	*Forney,	*McMillin,	White,
*Chapman,	Fulkerson, Readi.,	*Mills,	*Williams, Thomas,
*Clark,	*Garrison,	*Muldrow,	*Willis,
*Clements,	*Geddes,	*Oates,	*Wise, George D.,
*Cobb,	*Gunter,	*Phister,	
*Cook,	HASELTINE,	*Reagan,	
*Cox, Samuel S.,	*Hatch,	*Richardson, Jno. S.	

NAYS—10.

Aldrich,	Fisher,	Marsh,	Smith, Dietrich C.,
Bingham,	FORD,	McCoid,	Smith, J. Hyatt,
Bisbee,	George,	McCook,	Spooner,
Brewer,	Godshalk,	Miles,	Steele,
Briggs,	Grout,	Miller,	Strait,
Buck,	Guenther,	Moore,	Taylor,
Burrows, Julius C.,	Hall.	MOSGROVE,	Thomas,
BURROWS, Jos. H.,	*Hardenbergh,	Neal,	Thompson, Wm. G.,
Butterworth,	*Hardy,	Norcross,	Townsend, Amos,
Campbell,	Harmer,	O'Neill,	Tyler,
Carpenter,	Haskell,	Page,	Updegraff, Thomas,
Caswell,	Hawk,	Payson,	Urner,
Chace,	Heilman,	Peelle,	Valentine,
Crapo,	Henderson,	Peirce,	Van Aernam,
Crowley,	Hepburn,	Pound,	Wadsworth.
Cullen,	Hill,	Prescott,	Wait,
Cutts,	Hiscock,	Ranney,	Walker,
Davis, George R.,	*Hoblitzell,	RICE, THERON M.,	Ward,
Dawes,	Horr,	Rice, William W.,	Washburn,
Deering,	Hubbell,	Richardson, D. P.,	Webber,
De Motte,	Hubbs,	Ritchie,	West,
Dezendorf,	Humphrey,	*Ross	Williams, Chas. G.,
Dingley,	Jones, Phineas,	Russell,	Willits,
Dwight,	Joyce,	*Scoville,	*Wilson,
*Ermentrout,	Kelley,	Shallenberger,	*Wise, Morgan R.
Errett,	Lacey,	Sherwin,	
Farwell, Chas. B.,	LADD,	Skinner,	
Farwell, Sewell S.,	Lewis,	Smith, A. Herr	

On the 5th of August, while the knit-goods bill was pending, several votes were taken which demonstrate very clearly the Democratic position in favor of reform and reduction of the tariff.

Senator BAYARD, (Dem.), offered the following amendment:

That the duty upon all wool shall not exceed 25 per cent. ad valorem, and the duties upon all manufactures of wool, or of which wool shall be the component material of chief value, shall not exceed 50 per cent, ad valorem, and all laws and parts of laws inconsistent herewith are hereby repealed.

The vote was as follows:

YEAS—23.

*Bayard,	*Davis of West Va.,	*Jonas,	*Ransom,
*Beck,	*Farley.	*Jones of Florida,	*Slater,
*Butler,	*George,	*Maxey,	*Vest,
*Call,	*Gorman,	*Morgan,	*Walker,
*Cockrell,	*Hampton,	*Pendleton,	*Williams.
*Coke,	*Harris,	*Pugh,	

NAYS—31.

Aldrich,	Conger,	Lapham,	Platt,
Allison,	*Davis of Ill.,	Logan,	Rollins,
Anthony,	Dawes,	McDill,	Sewell,
Blair,	Hale,	McMillan,	Sherman,
*Brown,	Harrison,	Mahone, (Reaj.,)	Van Wyck,
Cameron of Pa.	Hawley,	Miller of Cal.,	*Voorhees,
Cameron of Wis.,	Hoar,	Miller of N. Y.,	Windo m.
Chilcott,	Ingalls,	Morrill,	

Senator VEST (Democrat) offered the following amendment:

From and after the passage of this act salt in bulk or bags, sacks. barrels, or other p ackages, shall be placed upon the free list.

and supported it by the following remarks:

"Mr. President, just a word before the vote is taken. The duty upon salt now provided by the existing tariff is—in bulk, 8 cents per 100 pounds; in ba gs, sacks, barrels, or other packages, 12 cents per 100 pounds. Then by statute passed, I suppose, for the purpose of protecting the American fisheries in this inte rest, it is provid ed:

SEC. 3022. Imported salt in bond may be used in curing fish, taken by vessels licensed to engage in the fisheries, under such regulations as the Secretary of the Treasury shall prescribe: and upon proof that the salt has been used in curing fish, the duties on the same shall be remitted.

"Unless it is proposed to make a discrimination, palpable, unmistakable, and without any disguise or concealment in it, in favor of a particular interest in a particular locality as against the interests of the general people in regard to this great staple, an artical of necessity throughout the country, there can be no pretense whatever for keeping this tariff duty in its present condition.

"It requires no sort of argument, no sort of rhetoric, to present this case in any other than the strong light in which it presents itself at once to every mind. Why is it (and I ask the question to-day for the purpose of eliciting an answer) that salt when brought into the country and used in the preservation and curing of fish shall be free of duty, shall be upon the free list by an order of the Secretary of the Treasury, when salt that is used all over the country in curing beef, in curing hogs, in the thousand and almost universal applications that are made of it when so used, a discrimination is made against it of 8 and 12 cents to the hundred pounds? I can imagine no defense that can be made of this proposition; and I ask for the yeas and nays upon it, so that we can record our votes for or against."

The vote was as follows:

YEAS—21.

*Bayard,	*Gorman,	*Pendleton,	*Voorhees,
*Butler,	*Hampton,	*Pugh,	*Walker,
*Call,	*Harris,	*Ransom,	*Williams,
*Coke,	*Jonas,	*Saulsbury,	
*Farley,	*Maxey,	*Slater,	
*George,	*Morgan,	*Vest,	

NAYS—26.

Aldrich,	Conger,	Jones of Nevada,	Rollins,
Anthony,	Dawes,	McDill,	Saunders,
Blair,	Ferry.	McMillan,	Sewell,
*Brown,	Harrison,	Mahone, (Reaj.,)	Sherman,
Cameron of Pa.,	Hawley,	Miller of Cal.,	Windom.
Cameron of Wis.,	Hoar,	Morrill,	
Chilcott,	Ingalls,	Platt,	

Senator VEST also offered the following amendment:

Provided, That from and after the passage of this act the duty on flannels and blankets shall not exceed 50 per cent. ad valorem. and all laws imposing any other duty on said articles are hereby repealed.

The vote was as follows:

YEAS—21.

*Bayard,	*George,	*Morgan,	*Vest.,
*Butler,	*Gorman,	*Pendleton,	*Walker,
*Call,	*Hampton,	*Pugh,	*Williams,
*Coke,	*Harris,	*Ransom,	
*Davis of W. Va.,	*Jonas,	*Saulsbury,	
*Farley,	*Maxey,	*Slater,	

NAYS—26.

Aldrich,	Conger,	Jones of Nevada,	Rollins,
Anthony,	Dawes,	McDill,	Saunders,
Blair,	Ferry,	McMillan,	Sewell,
*Brown,	Harrison,	Mahone, (Readj.,)	Sherman,
Cameron of Pa.,	Hawley,	Miller of Cal.,	Windom,
Cameron of Wis.,	Hoar,	Morrill,	
Chilcott,	Ingalls,	Platt,	

Senator BAYARD moved to add to the bill this proviso:

Provided, That hereafter the rate of duty on the merchandise described in this section shall not exceed 60 per cent. ad valorem.

The vote was as follows:

YEAS—20.

*Bayard,	*Davis of W. Va.,	*Harris,	*Pugh,
*Beck,	*Farley,	*Jonas,	*Ransom,
*Butler,	*George,	*Maxey,	*Slater,
*Call,	*Gorman.	*Morgan,	*Vest,
*Coke,	*Hampton,	*Pendleton,	*Williams.

NAYS—28.

Aldrich,	Chilcott,	Ingalls,	Morrill,
Allison,	Conger,	Jones of Nevada,	Platt,
Anthony,	Dawes,	Lapham,	Rollins,
Blair,	Hale,	McDill,	Saunders,
*Brown,	Harrison,	McMillan,	Sewell,
Cameron of Pa.,	Hawley.	Mahone, (Readj.,)	Sherman,
Cameron of Wis.,	Hoar,	Miller of Cal.,	*Voorhees.

OBJECT OF THE COMMISSION.

The creation of a commission was the result of the elaborate discussion in the House and Senate, from which we have quoted so freely in the foregoing pages. Does this mean relief to the people? The Democratic leaders think it means simply delay—a continuation of burdens which fair dealing between man and man requires should be removed.

As early in the session as December 12th, 1881, Senator BECK said in the Senate:

"I believe that if the bill proposed by the Senator from Vermont [Mr. MORRILL] should pass, it would mean the selection of a body of men by the President, to be confirmed by the Senate, in order to indorse and perpetuate in some way, for an indefinite period, all the abominations, that have been so much lauded by the Senator from Vermont, of his tariff bill of 1861 and its amendments, and thus give a further lease to the present monopolists of unjust and oppressive privileges under the guised name of protection. I suppose nobody will pretend that Mr. Morrell, of Pennsylvania, and those gentlemen who got up the petitions for the Presidential commission last year, need $28 a ton protection on their steel rails, protected as they are against all other American manufacturers by a patent, or that they are in a hurry to change the present condition of things. If they can get this commission it will extend their bounty for a year or two, as we shall do nothing until its report comes in, its members being appointed by the President and selected by them, to continue the good things they now enjoy. The commission will be without any responsibility or any means of their being questioned or cross-questioned in either House of Congress. Thus a lease for at least two years of all the benefits that now exist will be assured. A report in January, 1883, means that a Congress expires March 4, 1883.

"Mr. President, if anything is to be done at all to give the country relief, the only way to reach it is for the two Houses to take hold of it themselves and take hold of it at once. Let the commission be composed of members of both Houses; let them summon our stenographer, Mr. Murphy, to aid them, bring the so-called experts before them on the side of the monopolists and the people, and before the holidays are over they can examine a hundred experts on all sides and on all questions from all over this country. They can be cross-questioned by members of the committee, and what they may say can be examined into on this floor, and the truth and falsehood developed and exposed. Let us not have a whitewashing report, to be postponed for two years, made by men picked by the President and confirmed by the Senator from Vermont and his friends. If we are to have a report or an investigation, let us have it at once. Let the two Houses take hold by their own members; let them select their committeemen; let them call in the stenographers; divide into sub-committees if necessary; let them summon Government officials, experts, and intelligent men of business; let them sit here and elsewhere during the holidays, and my word for it, when these things are done, we will prove that the present tariff is such an abomination or combination of abominations that no man will rise and defend it in either House of Congress."

Senator COKE (Dem.), of Texas, said in the Senate, February 7, 1882:

"I oppose it because it is notoriously true that it was originally gotten up on the petitions and memorials of iron and steel and woolen and cotton manufacturers, more heavily protected than any others under the tariff, who under this bill expect to, and doubtless will, control the commission in the interest of high protection.

"I oppose it because it will deliver over to non-representative and irresponsible persons to be dealt with, a great question vitally affecting the interests of the people, which should here and now be dealt with by the people's chosen representatives in the two Houses of Congress.

"I oppose it because it indefinitely postpones consideration by Congress of a subject upon which the highest public interest demands immediate action.

"And I oppose it because I believe it was gotten up for the purpose of forestalling popular discussion, and taking it out of the sight and hearing of the people, and that the inevitable result of doing so will be the perpetuation of the most odious and oppressive features of a high protective tariff, whether so intended or not.

"I desire the question retained in the hands of Congress, not side-tracked as this bill proposes, but on the high road to adjustment through an appeal to the sense of justice, the intelligence, and the sovereignty of the American people. I desire to see it discussed in and out of Congress, by the press, and in all the modes through which thought finds expression and seeks propagation. I desire to see the light turned on the subject so that the people may see for themselves how the law, before which all men are supposed to be equal, takes their honest earnings with one hand, and with the other bestows it on a favored class as bounty-money.

"If they are willing that this process shall go on, it is all right, but I desire they shall first understand it, shall know how it is, and then say whether they approve it. This bill will stifle discussion, will bury the subject out of sight, will Star-Chamber it, will "take it out of politics," where it now lies an obstruction in the way of aspiring patriots.

"I expect nothing and hope for nothing from this bill if it passes. The commission organized under it will be a high-protection concern from top to bottom, and whenever it does report, if it ever does, the work of reforming the tariff will be before Congress, as it is now, to be done. That much time will have been lost, and all we will have to show for it will be a report gotten up in vindication of a high protective tariff. In the meantime our people will be toiling and sweating under the exactions of tribute, and our "infant industries" so-called will be receiving unearned bounties with the utmost regularity.

"The bill introduced by the honorable Senator from Arkansas, [Mr. GARLAND,] which now lies on the table without the favor of the Finance Committee, I greatly prefer, if one or the other must be adopted, the latter providing as it does for a commission to be composed of three members from each House of Congress and three civilians outside. I prefer this to the bill recommended by the committee because its departure from the other is in the right direction, in providing for Congressional representation upon the commission. It does not deliver the subject over to non-representative outsiders, as the bill recommended by the committee does. But I cannot see the necessity for others than members of the two Houses of Congress on a commission to revise the tariff.

"A commission composed of members of the two Houses of Congress would be empowered to call before it the intelligence and experience of the country, and would as fully utilize expert testimony as a commission composed of outside experts could do, and would act under a sense of responsibility which non-representative men would not feel.

"Besides, Mr. President, as not even the Senate of the United States is permitted by the Constitution to originate a tariff or tax bill, (for they are synonymous,) but all such bills must originate in the House, where the direct representatives of the people are assembled, it seems to be violative of the spirit of the Constitution to delegate either wholly or partially to those who do not represent the people the task of preparing or advising a plan of taxation. None but a representative hand should touch the question of taxation in any of its environments even, much less its substance. It is not in accord with the theory of our Government to delegate any power connected even remotely with the imposition of taxes on the people, and I can never indorse by my vote the exercise of such authority."

In a speech delivered in the House, March 28 and 29, Mr. CARLISLE, (Democrat,) of Kentucky, said:

"My objections to the bill do not require a discussion of its provisions in detail, for while there are many reasons why it should not become a law, the great and controlling reason with me is that in my judgment it is the duty of Congress, in the discharge of its constitutional obligations, and in obedience to the demands of the country, to proceed immediately to revise and modify the existing tariff in the ordinary way. While the intelligent representatives of every industry in the country are almost unanimous in their complaints against the unjust and incongruous provisions of the present system, and many of them are demanding immediate relief from its hardships, it is no time to resort to measures which, however they may be intended, can produce nothing but delay and prolonged agitation to the great injury of every interest involved.

"This is not a bill to facilitate the revision of the tariff. It is a bill to pay out of the public Treasury about $200 per day for a period of six or seven months, to compensate and defray the traveling and other expenses of a commission to perform duties which we are sent here to perform, and which the people are paying us to perform. It is a bill to create unnecessary offices and to incur unnecessary expenses; and, worse than that, it is a bill to postpone a revison and to take the question for a time, at least, away from the forum to which the Constitution has committed it, and send it to an irresponsible roving commission whose report cannot possibly be considered and disposed of during the existence of this Congress.

"Mr. KASSON. Will it interrupt the gentleman if I ask him a question?

"Mr. CARLISLE. Not at all.

"Mr. KASSON. I want to ask my friend and colleague upon the committee if this revision has been a duty demanded of Congress, and can be well done by the Committee on Ways and Means, why has it not been done by them in the last three Congresses, when men of the gentleman's view have been in power here?

"Mr. CARLISLE. I state in reply to the gentleman a fact very well known to him and to the whole country, that there never has been a time since this House came under the control of the Democratic party when there has not been a very large majority on this side of the House in favor of revising the tariff system; and the efforts in that direction have been defeated in every instance by an almost unanimous vote on the other side of the House, acting in conjunction with a small minority on this side. The records of Congress bear me out in this assertion

"Mr. Chairman, if this measure shall be passed it requires no gift of prophecy to foresee that there will be no revision of the tariff or any relief from its admitted hardships in particular instances for the next two or three years. All legislation must be suspended, and all consideration of the subject must be postponed until these executive appointees have informed the legislative department what its duties are, and then we are to be graciously permitted to resume our constitutional authority to determine now our constituents shall be taxed.

* * * * * * *

"The power to tax the people is the highest prerogative of sovereignity, and the right to determine upon what principles and for what purposes taxes shall be laid and collected (if these be open questions under the Constitution) is one which we can neither surrender nor delegate without virtually yielding the principal power itself. I do not assume that the action of the commission would absolutely bind Congress or actually deprive it of any power it now possesses over these subjects, but I do assume, what every gentleman here very well knows, that its report is expected to have, in fact, a controlling influence over our deliberations when we come finally to make a revision of the tariff. If this is not the intention and expectation, then the whole scheme is utterly devoid of any intelligent purpose except mere delay.

"There is but one really substantial ground upon which this measure, or any measure of a similar character, can be justified, and that is the assumed incapacity of the majority in Congress to deal with the subject. After proclaiming everywhere that it carried the Presidential election in 1880, and succeeded to power in this House, by reason of its superior capacity to deal with this question, is the

majority here ready, as soon as it resumes control of all the departments of the Government, to confess openly and publicly that it is wholly incapable of perfecting such an ordinary act of legislation as the revision of the tariff. Disguise it as you may, gentlemen, that is what this bill means, and it will be so understood by the country. It is a confession, in the face of the constituency which sent you here, that you are not competent to perform a part of the duties which the Constitution of the country and the necessities of the situation impose upon you."

Mr. DUNNELL (Republican) in the House April 4th said:

"With all due respect to gentlemen who argue in favor of a commission, I dislike the commission because it puts off these adjustments that are pressing upon us every hour. I insist that this Congress ought to revise the sugar tariff. I respectfully maintain that the Committee on Ways and Means during the last ninety days should have busied itself in revising the sugar and other portions of the tariff. Instead of that, in an evil hour, in my judgment, it listened to arguments favoring a commission, and its members one by one yielded to them. What is this commission? It is to consist of nine men selected from civil life. They will be selected as the representatives of interests. or they will be experts in certain industries. It will be their labor, under the law, to collect data touching the various industries indicated in the bill. The reports will come to us in December, and possibly not till January in the next session. No matter how valuable the reports may be they will come to us too late for use. If we pass this bill the Forty-seventh Congress will, in my opinion, fail to witness any changes in our revenue laws.

"I become impatient when told that we need a tariff commission in order that we may have tariff revision. I cannot suppose for a moment that there are many men in this House who believe that the Forty-seventh Congress will do anything on the tariff other than turn over to the Forty-eighth Congress a collected mass of material, out of which possibly a tariff might be drawn. Each Congress has its own peculiar and distinctive character. It has its own way of thinking and acting, and the Forty-eighth Congress will care but little what the Forty-seventh Congress did. It will not be this Congress; it will be another body. Many men who are here to-day will not be in that Congress, One-half of our number may be returned, perhaps less. There will be a new Committee on Ways and Means and a new organization.

"That Congress will not care to consider the methods of this Congress or be governed by its action on this subject. It will know that we avoided the labor of revision; that we had not the pluck, the force, or the courage to do what was in front of us and what was demanded of us. I am not a believer in the doctrine that a party gains anything by shirking a present responsibility. * * * We have reached a period in the politics and legislation of this country when parties cannot live by ideas or principles resting on mere sentiment; we have got beyond the period of the war. We ought to realize that we are now in a period where progressive legislation is demanded. We ought not as Republicans to let the Forty-seventh Congress die, as did the Forty-sixth, with a record of non-action.

"The Republicans of this House may reasonably ask what they have done so far in this session. It is not the province of this Congress to help the Forty-eighth Congress do its duty. The Forty-seventh Congress has a specific duty to perform, and one of its duties is a modification of the tariff, not on any declared basis which individuals may lay down, but such an one as is demanded by the interests of the country."

On the 5th of May, 1882, Mr. CANDLER, (Rep.) of Massachusetts, presented to the House a petition, which is very interesting reading as tending to show who favored the creation of a commission.

"Mr. Chairman, as we have listened to a single manufacturer on this floor [Mr. HEWITT, of New York,] who has asked for summary legislation and opposed this bill, I desire to call attention to a petition which I hold in my hand in favor of the measure before us."

FEBRUARY 15, 1882.

To the honorable the Senate and House of Representatives
of the United States of America in Congress assembled:

The undersigned respectfully represent that in April 1880, they sent to your honorable bodies a communication as follows:

"The undersigned, persons engaged in the manufacture of cotton yarns and fabrics and the dyeing, coloring, bleaching, and printing of the same, and holding various opinions upon the tariff question, respectfully represent that they have observed with great interest the bringing in of a bill to the Senate of the United States by Mr. Eaton, which was read twice and referred to the Committee on Finance, and reported by Mr. BAYARD, with amendments, April 13, 1880, entitled 'A bill for appointment of a commission to investigate the question of a tariff;' that they have carefully considered the provisions of said bill, and are earnestly in favor of the passage of the same and the appointment of a civil commission as contemplated therein, believing that in no other way can the requisite information be secured for the use of Congress when considering a revision of the tariff.

"The industries aboved mentioned consume approximately 1,500,000 bales of cotton annually, operate 10,000,000 spindles, and employ over $200,000,000 capital."

And the undersigned beg again to express their confidence in said bill and in the bill now before the Senate (S. No. 22) reported by Mr. BAYARD January 10, 1882, and to say that they do not advocate the appointment of a commission to investigate the tariff for the purpose of delaying action, as has been alleged, but on the contrary with the desire of furthering the revision of the tariff at the earliest possible date.

CHARLES H. DALTON,
Treasurer Merrimack Manufacturing Company, Lowell, Mass.
HENRY SALTONSTAL,
Treasurer Pacific Mills, Lawrence, Mass.
JOHN C. PALFREY,
Treasurer Manchester Mills, Manchester, N. H.
CHANNING CLAPP,
Treasurer Amoskeag Manufacturing Company, Manchester, N. H.
C. W. AMORY,
Treasurer Amory Manufacturing Company, Manchester, N. H.
A. D. LOCKWOOD,
Treasurer Lockwood Company, Waterville, Me.
ARTHUR T. LYMAN,
Treasurer Lowell Manufacturing Company and Hadley Company.
JAMES A. DUPEE,
Treasurer Appleton Company and Hamilton Manufacturing Company.
WILLIAM A. BURKE,
Treasurer Lowell Machine Shop, Lowell.
GEORGE ATKINSON,
Treasurer Massachusetts Cotton Mills, Lowell.
EDMUND DWIGHT,
Treasurer of Boston Manufacturing Company, Waltham, Mass.
EDMUND DWIGHT,
Treasurer Stark Mills, Manchester, N. H.
GEORGE DEXTER,
Treasurer Pepperell Manufacturing Company and Laconia Company, Me.
HENRY D. SULLIVAN,
Treasurer Naumkeag Steam Cotton Company, Salem, Mass.
LUCIUS M. SARGENT,
Treasurer Lawrence Manufacturing Company, Lowell, Mass.
AUGUTUS LOWELL,
Treasurer Boott Cotton Mills, Lowell, Massachusetts.
FRANCIS CABOT,
Treasurer Cabot Manufacturing Company, Brunswick, Maine.
FRANCIS CABOT,
Treasurer Norway Plains Company, Rochester, New Hampshire.
JOHN WEBSTER,
Treasurer New Market Manufacturing Company, New Market, New Hampshire.
J. EDWARDS,
Treasurer Bates Manufaturing Company, Lewiston, Maine.
JOSEPH SAWYER,
President Burlington Woolen Company, Winooski, Vermont.
A. T. PERKINS,
Treasurer Chicopee Manufacturing Company, Chicopee Falls, Massachusetts.
HENRY F. COE,
Treasurer Washington Mills, Lawrence, Massachusett.
HENRY S. SHAW,
Treasurer Pemberton Company, Lawrence, Massachusetts.
WILLIAM B. WOOD,
Treasurer Continental Mills, Lewiston, Maine.
O. H. SAMPSON,
Treasurer Palmer Carpet Company, Palmer, Massachusetts.

MOSES W. RICHARDSON,
Treasurer Lewiston Mills, Lewiston, Maine.
W. G. SALTONSTALL,
Treasurer York Manufacturing Company, Saco, Maine.
WILLIAM GRAY, JR.,
Treasurer Atlantic Cotton Mills, Lawrence, Massachusetts.
WILLIAM GRAY, JR.,
Treasurer Indian Orchard Mills, Springfield, Massachusetts.
A. P. ROCKWELL,
Treasurer Great Falls Manufacturing Company, Great Falls, New Hampshire.
EUGENE H. SAMPSON,
Treasurer Everett Mills, Lawrence, Massachusetts.
JAMES S. AMORY,
Treasurer Lancaster Mills, Clinton, Massachusetts.
FREDERICK AMORY,
Treasurer Nashua Manufacturing Company, Nashua, N. H.
FREDERICK AMORY,
Treasurer Jackson Company, Nashua, N. H.
SAMUEL G. SNELLING,
Treasurer Lowell Bleachery, Lowell, Mass.
WILLIAM WHITMAN,
Treasurer Arlington Mills, Lawrence, Mass.
H. STOCKTON,
Treasurer Cocheco Manufacturing Company and Salmon Falls Manufacturing Company, N. H.
F. L. RICHARDSON,
Treasurer Hill Manufacturing Company, Lewiston, Me.
C. W. AMORY,
Treasurer pro tempore Langdon Manufacturing Company, Manchester, N. H.
NATHANIEL WALKER,
Treasurer Androscogin Mills, Lewiston, Me.
JOSHUA BALLARD,
Treasurer Hamilton Woolen Company, Southbridge, Mass.
R. M. BAILEY,
Treasurer Hookset Manufacturing Company, Hookset, N. H.
J. HOWARD NICHOLS,
Treasurer Dwight Manufacturing Company, Chicopee, Mass.
H. DUMARESQ,
Treasurer Oriental Print Works, Apponaug, R. I.
JAMES C. FISK,
Treasurer Fiskdale Mills, Mass.
C. H. JOY,
Treasurer Ocean Mills Company, Newburyport, Mass.

"They ask for the appointment of a commission from civil life. The signers of this petition state that they represent industries employing $200,000,000 of capital."

This, as will be observed, is a petition not by farmers or laborers, but by officers of corporations representing *two hundred million dollars of capital.* It is a very useful straw to show which way the wind was blowing when the commission was created.

On the 4th of May, Mr. MORRISON, of Illinois, said in the House:

"The purpose of the bill under consideration is to continue the present tariff. As a people we have made great progress, but we have grown faster in nothing than in the use of taxing power. When the First Congress assembled the country was grievously burdened with the debt of the war for Independence, then but six years past. No system of taxation had been provided. To raise a national revenue duties and taxes were laid on imported goods. Duties now 35 to 75 were then but 5 and 7½ per cent. These low rates were fixed after considering the question of "encouragement and protection of manufacturers," then said to be in their infancy.

"Seventeen years from our own civil war the country, still indebted, is burdened with a system of war taxation yielding a surplus. The Forty-seventh Congress stays and avoids its duty. Professedly it waits for nine men wiser than itself to consider if temporary war taxes, excessive and unnecessary for revenue, are not essential for the encouragement and protection of manufacturers.

* * * * * * * * * * * *

"Just before the last Presidental election an attempt was made to reduce duties, which was resisted, as every effort in the same direction has been resisted by the

friends of this tariff-commission scheme. The late President, General Garfield, insisted the bill then proposed violated two principles recognized in our tariff legislation, and in the report of the minority, said:

> The undersigned are not opposed to a general revision of the tariff, or to a reduction of rates, whenever this can be done in harmony with the principles herein set forth.

"This declaration went to the people as a campaigh document over the signature of the late President. His friends propose to keep his pledge that he was not opposed to a general revision of the tariff or a reduction of rates by the appointment of a commission, as the bill provides, to consider the tariff "upon a scale of justice to all interests." Such a commission would be representative and familiar with the conditions of each, and each would be represented in proportion to its magnitude. Such a commission might revise the tariff with justice to all interests, but would greatly disappoint those who first fell upon this scheme to revise a tariff they seek to perpetuate. In March, 1879, shortly before the Eaton bill was presented, Mr. D. J. Morrell, of Pennsylvania, was made president of the American Iron and Steel Association. On taking the chair he advised the association to—

> Demand that the subject shall be intrusted to a commission not of owl-eyed college professors, but of business men and statesmen appointed by the President of the United States, with instructions and authority to ascertain the condition and wants of all our industries, and to examine the tariff legislation of this and other countries with reference to its influence upon national welfare, and demand also that Congress shall refrain from legislation upon the subject until the presentation of the report of this commission. If no other good results from this, we shall at least have what the country most needs, a little rest.

"Protection fears college professors. What, sir, must be thought of and assumed governmental policy which dreads the scholarship of the nineteenth century?

"Mr. Morrell was a member of this House when the tariff on steel rails was raised to $28 per ton. He is largely interested in iron and steel works, and has resisted every effort to revise and reduce tariff. His plan comtemplates no delay, but "what the country most needs, a little rest" only.

"What its advocates here expect from his commission is fairly inferred from the McKinley bill, adopted by the majority of the committee and given to the press in advance of the adoption of this bill to accomplish a like purpose. That bill reduces no duty, but increases duties now 30, 35 and 45 per cent. to 75, 125 and 200 per cent. Of the duties so to be increased, are those on iron for hoops used in baling hay and for cotton ties, rods for wire fence and binders, steel in some forms, and some manufactures of steel and other articles of iron and steel unnumbered and undescribed essential for use in the various arts of life by mechanics, farmers, builders and in the production of other manufactures. The annual cotton product already pays a duty of $500,000 on imported cotton-ties, and this increase of duty adds an additional $500,000 to be paid on the ties when imported.

On the 5th of May, Mr. TUCKER (Dem.) said in speech in the House:

"There was a gentleman outside of this House, and the remark has been before quoted to the House, who laughingly said—he is a man of weight and power, and a lawyer—that this tariff commission bill was an affidavit for a continuance. An affidavit for the continuance of a bad cause; a cause in which the defendant dares not go to trial before the people. But what is the proposition here? It is that this House, charged by the Constitution with the origination of all bills for raising revenue, shall hand over to the President and to the Senate the absolute power of appointing a commission that shall gather togethar evidence as the basis upon which to frame a tariff bill, but which, after all, must be digested, considered, and first passed by this House.

"The object of this commission is to take all the evidence in the case as it may be presented by the general interests of the country on either side, and report them to this House. Is this right? Can we do this justly to our constituents, justly to the country, and justly to the cause of truth? Gentlemen say that this bill is not intended for any delay, but the matter is given to a commission because this House and the Committee on Ways and Means cannot do the work. Why, sir, I donot

know that I am telling secrets of the committee, and if I am, my friends will tell me when I say that the McKinley bill——

"Mr. MORRISON. It is published in the newspapers of the country.

"Mr. TUCKER. Yes, sir, that the committee was ready to report the McKinley bill, which did not reduce but increased the duties, and that it was determined to report it until this commission bill came up, and then the question arose, if you are going to vote a commission why bring in a bill for a partial revision of the tariff? Why, if that bill of my friend from Ohio [Mr. MCKINLEY] had been brought into the House the entire tariff question, as gentlemen upon the other side of the House know full well, would have been opened to debate in this Hall. We had a tariff bill ready then to report, and the House was ready to consider it. It ought to have been brought in in some shape. This House can do the work now as well as next winter, or two years hence. If it cannot we should resign and let the people send representatives who can do it. The Committee on Ways and Means can do it now. My friends who disagree with me, and gentlemen upon our side of the question (except myself) are fully able now to revise this tariff and perfect a scheme that can be brought in and adopted. This scheme of the commission will have to be at last discussed and adopted or repudiated by this House. Why not, then, take it up now?

"It is, as I have said, an affidavit for continuance. What ought we to do? Why, instead of voting to put the whole question into the hands of a commission, this House ought to march up boldly to its duty, and meet the issue squarely before the country. They ought to say to the Committee on Ways and Means, report a bill good or bad and let us consider it. Let us at least labor for the correction of the iniquities of a system which taxes the necessaries of life higher than it does the luxuries; which taxes the great agricultural and other industries of the country for the benefit of the manufacturers, and which necessarily checks our foreign exports, in which agriculture is deeply interested. But as I have said, I have no time now to discuss these questions specially. I only ask that the Committee on Ways and Means may give a careful consideration to this system, and bring in a bill of their own, so that in the end we may not only have a just system but one not marked by the inequalities and enormities which inhere in the present tariff policy, under which certain industries are being built up and fostered at the expense of the great body of the people of the country." [Applause.]

On the 9th of May, Senator BECK said in the Senate:

"I advised that there was no necessity for any further delay in regard to this bill by referring it to the Committee on Finance. I was not aware, however, of one fact that I learn this morning, that in March, 1879, shortly before the Eaton bill was presented, Mr. D. J. Morrell, of Pennsylvania, was made president of the American Iron and Steel Association; he was a member of the House of Representatives at the time when the Bessemer steel duty was raised to $28 a ton, and on taking the chair he advised the association thus:

> Demand that the subject shall be intrusted to a commission not of owl-eyed college professors, but of business men and statesmen appointed by the President of the United States, with instructions and authority to ascertain the condition and wants of all our industries, and to examine the tariff legislation of this and other countries with reference to its influence upon national welfare, and demand also that Congress shall refrain from legislation upon the subject until the presentation of the report of this commission. If no other good results from this, we shall at least have what the country most needs, a little rest.

"They will get 'a little rest' now for a couple of years, and maintain the present condition of things; and they have succeeded so well in getting a continuance that I do not suppose it is worth while to delay it.

"Mr. MORRILL. I desire to call the attention of the Senator from Kentucky to the fact that the fourth section provides that the commission are to make their final report on or before the first Monday of December next.

"Mr. BECK. That leaves ninety days before the expiration of this Congress, with the appropriation bills and all the other work of Congress to be done; and there will be no time to act on the tariff. There may be a pretense, but there will be no honest attempt to change the tariff. The success of delay is obvious."

The commission bill passed the House on the 6th of May. The vote was as follows:

YEAS—151.

Aldrich,	Errett,	Lord,	Shallenberger,
Anderson,	Farwell, Chas. B.	Lynch;	*Shelley,
*Atherton,	FORD,	Marsh,	Sherwin,
*Barbour,	George,	McClure,	Shultz,
Barr,	*Gibson,	McKinley,	Skinner,
Bayne,	Godshalk,	*McLane,	Smith, A. Herr,
Bingham,	Grout,	Miller,	Smith, J. Hyatt, Ind,
*Bliss,	Guenther,	Moore,	*Speer,
Bowman,	*Hall,	Morey,	Spooner,
Brewer,	Harmer,	*Morse,	Steele,
Briggs,	*Harris; Henry S,	MOSGROVE,	Stone,
Browne,	HASELTINE,	MURCH,	Strait,
BRUMM,	Haskell,	Mutchler,	*Talbott,
Buck,	Hawk,	Neal,	Taylor,
Burrows, Julius C.,	Hazelton,	Norcross,	Thomas,
BURROWS, Jos. H.,	Heilman,	O'Neil,	Thompson, Wm. G.,
Butterworth,	Henderson,	Pacheco,	Townsend, Amos,
Calkins,	Hepburn,	Page,	Tyler,
Camp,	*Hewitt, G. W.	Payson,	Updegraff, J. T.,
Campbell,	Hill,	Peelle,	*Upson,
Candler,	Hiscock,	Peirce,	Valentine,
Cannon,	*Hoblitzell.	Pound,	Van Horn,
Carpenter,	*Hoge,	Prescott,	Van Voorhis,
Chace,	Horr,	*Randall,	Wadsworth,
*Chapman,	Hubbell,	Ranney,	Wait,
*Clardy,	Hubbs,	Ray,	Walker,
Crapo,	Humphrey,	Reed,	Ward,
Cullen,	Jacobs,	RICE, THERON M.	Watson,
*Curtin,	Jones, Phineas,	Rice, Wm. W.	Webber,
Darrell,	Jorgensen,	Rich,	White,
Dawes,	Joyce,	Ritchie,	Williams, Chas. G.
Deering,	Kasson,	Robinson, George D.	Willits,
De Motte,	Kelly,	Robinson, Jas. S.	*Wilson,
Dezendorf,	*Kenna,	*Ross,	*Wise, George D.,
Dingley,	Ketcham,	Russell,	*Wise, Morgan R.
Dwight,	*Klotz,	Ryan,	Wood, Walter A.
*Ellis,	Lacey,	*Scoville,	Young,
*Ermentrout,	Lewis,	Scranton,	

NAYS—83.

*Aiken,	*Cox, William R.	*Herndon,	*Phister,
*Armfield,	*Cravens,	*Hewitt, Abram S.,	*Reagan,
*Atkins,	*Culberson,	*House,	*Scales,
*Beach.	Cutts,	*Jones, James K.,	*Shackelford,
Belford,	*Davidson,	*King,	*Singleton, Otho R.
*Belmont,	*Davis, Lowndes H.	*Knott,	*Springer,
*Beltzhoover,	*Deuster,	*Latham,	*Stockslager,
*Berry,	*Dibrell,	*Leedom,	*Thompson, P. B.,
*Bland,	*Dowd,	*Le Fevre,	*Tillman,
*Blount,	*Dunn,	*Manning,	*Townshend. R, W.
*Bragg,	Dunnell,	*Matson,	*Tucker,
*Buchanan,	*Evins,	McCoid,	*Turner, Oscar,
*Buckner,	Farwell, Sewell S.,	*McKenzie,	Updegraff, Thos.,
*Caldwell,	*Finley,	*McMillan,	*Vance,
*Carlisle,	*Forney,	*Mills,	*Warner,
*Clark,	*Garrison,	*Money,	Washburn,
*Clements,	*Gunter,	*Morrison,	*Wellborn,
*Cobb	*Hammond, N. J.,	*Moulton,	*Whitthorne,
*Colerick,	*Hardenburgh,	*Muldrow,	*Williams, Thomas,
*Cook,	*Hatch,	*Oates,	*Willis
*Cox, Samuel S.	*Herbert,	Orth,	

It passed the Senate on the 9th of May. The vote was as follows:

YEAS—35.

Aldrich,	*Gorman,	Jones of Nevada,	Mitchell,
Allison,	*Groome,	Kellogg,	Morrill,
Anthony,	Hale,	Lapham,	Platt,
Blair,	*Hampton,	McDill,	Rollins,
Cameron of Wis.,	Harrison,	McMillan,	Sawyer,
Conger,	Hawley,	McPherson,	Sewell,
*Davis of W. Va.,	Hill of Colorado,	Mahone, Readj.	Sherman,
Dawes,	Hoar,	Miller of Cal.,	Windom,
Frye,	*Johnston,	Miller of N. Y.,	

NAYS—19.

*Call,	*George,	*Jonas,	*Vance,
*Cockrell,	*Grover,	*Maxey,	Van Wyck,
*Coke,	*Harris,	*Morgan,	*Vest,
*Davis of Illinois,	Ingalls,	*Pugh,	*Walker,
*Farley,	*Jackson,	*Slater,	

WHO ARE THE COMMISSIONERS?

There were some Democrats who voted for the commission bill in the sincere belief that it would promote rather than retard an intelligent revision of the tariff, and others who voted for the bill as a choice of evils. It was certain that, as the present House was constituted, the Republican majority would permit no legislation looking to that end, and therefore they argued, Why should we not vote for the commission? If it has no other effect, it will, at least, deprive the Republicans of the plea for a commission in the next House. Those who entertained these views were much disappointed when the nominations of the members to compose the commission were sent to the Senate. They realized then that the President had disregarded the object of the law, and instead of appointing men from the various walks of life, had packed the commission in the interest of the most highly-protected industries. What influences led to the appointment of Messrs. Hayes, Oliver, Garland, Ambler, Underwood, Kenner, Boteler, Porter, and McMahon will never be fully known. Surely if fitness were to be considered, such eminent students of political science as Prof. Sumner of Yale College, Mr. David A. Wells, or Mr. Edward Atkinson would have been selected. If representation were to be given to industries according to importance, the agricultural interests should have had at least three of the commissioners, and the laboring men, for whose benefit the existing tariff is alleged to have been made, as many more; if statesmen were to be chosen, men of national reputation and disinterested patriotism should have been selected; yet it is a matter of history that the President overlooked Mr. Sumner, Mr. Wells, and Mr. Atkinson; rejected Mr. Powderly, who is prominent in the labor organizations; selected as the representative of the agricultural interest Mr. Kenner, who represents nothing but the sugar interest, and Mr. Garland, who represents the wool-growing interest. The nature of the report of a commission so constituted can readily be predicted. It will be an elaborate argument in favor of the protective system, and more especially of the industries of which the commissioners are the advocates as well the judge and jury.

THE ISSUES BEFORE THE PEOPLE.

In a speech delivered in the Senate, July 25, 1882, Senator VANCE (Democrat) said:

"Mr. President, there can be no mistaking the issues which are submitted to the country by this course of legislation. I have prepared them as they present themselves to me in the shape of a docket, issues which in this high court of tax reform are to be tried. The first case that stands on the docket, No. 1, would be read as follows:

"Bank Capital and Deposits *vs.* Farming Capital and Implements.

"No. 2. Bank Checks *vs.* Trace Chains.

"No. 3. Rat Exterminator, Bug Powders & Co. *vs.* Camphor, Opium, and Chloroform.

"No. 4. Lubin's Extract, Cinnamon Drops & Co. *vs.* Salt.

"I would respectfully ask the court to have my name marked for the defendant in that case.

"No. 5. Buchu, Rosadalis, and Cundurango *vs.* Cotton and Woolen Machinery.

"No. 6. Playing Cards *vs.* Horseshoes, Nails, and Stoves.

"No. 7. Steel Rails for Railroads *vs.* Hoes, Axes, Planes, and Saws for Workingmen.

"No. 8. Cigars and Cigarettes *vs.* Cotton Ties and Cotton Bagging.

"I do not attempt to go through the list, but that is about the order in which the cases will be called before the public. I desire to announce that I appear for the defendant in all those cases, and I should like to see who will mark his name for the plaintiff. The Senator from Ohio [Mr. SHERMAN] has given us an intimation that he appears for the plaintiff in the case of playing-cards; the Senator from Michigan [Mr. CONGER] I believe appears for Rat Exterminator, Cundurango & Co.; and so on as the course of debate has developed the individual preferences and idiosyncrasies, in the legislative sense of the word, of the various Senators in this body. If they are willing to go to the people upon such a record as that I am sure I am.

"But let me say to gentlemen in all seriousness that it is time they were taking warning. The people of this country are not to be deceived in this matter. There is a real and genuine demand for tariff reform, and they will not be put off by any chips and whetstones in this kind of way. Let gentlemen here remember the flood of the Mississippi which so lately desolated and poured over the vast region of country which borders that great river.

"Let gentlemen recollect the tornado in the West which swept the forest before its breath and overturned cities and towns. Let them remember that, and let them beware. There is a day of reckoning coming so sure as we all shall live to see it. There will be tariff reform.

FREE SHIPS DEFEATED.

Mr. KASSON reported the following bill from the Committee on Ways and Means July 22, and asked its consideration:

A bill (H. R. No. 3902) permitting the use of domestic materials in the construction of steam and sail vessels for foreign account.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3020 of the Revised Statutes shall be amended by adding the following, to come in at the end of the last line of said section: "Steam and sail vessels built for foreign account, of domestic and imported materials, shall be entitled to the benefit ot the rate of drawback on the imported materials as provided in the preceeding section."

Mr. TUCKER moved to amend by inserting the word "domestic" between the words "foreign" and "account." In support of his amendment Mr. TUCKER said:

"The purpose of the amendment is this: The bill if it passes will enable the foreign ship-owner to have a vessel built in an American ship-yard of material cheapened, if of foreign product, by having a drawback on those materials. But if I want to get a ship built in the same ship-yard to sail under an American register and foreign materials are used, I get no drawback. So it will cost me more as an owner of a ship sailing under the American flag than it will the owner of a foreign ship. In the interest of all shippers of this country, for the benefit of the shipping interest, I ask we be allowed to buy our ships as cheaply as the foreigner can buy them, or have them constructed in our own ship-yards. For that purpose have I moved to insert the word 'domestic' between the word 'foreign' and the word 'account,' so that an American shipper can get a ship built in Delaware as cheaply as a foreigner can get it built there.

"Mr. SCALES. That is to put our shippers on an equality with foreign shippers in getting ships built in the State of Delaware.

"Mr. TUCKER. Yes, that is it exactly. It is in the interest of the great shipping interest of our country. Gentlemen are complaining our carrying trade

is going away from our shippers. Here is a bill which enables the foreigner, who has an advantage of us already, to get a cheaper ship in an American ship-yard than an American shipper can have a ship built in the same yard.

"It is in effect a premium to the British flag over the American flag."

This amendment was bitterly opposed by Mr. ROBESON, of New Jersey, and Mr. WARD and Mr. O'NIELL, of Pennsylvania, and other leading Republicans who fillibustered against its adoption. The vote on Mr. Tuckers's amendment was. Yeas 95, nays 12, as follows:

YEAS—95-

Aldrich.	Cutts,	*Knott,	*Robertson,
*Armfield,	De Motte,	*Latham,	*Robinson, Wm. E.
*Atherton.	*Dibrell,	*Leedom,	*Rosecrans.
*Atkins,	*Dowd,	Lord,	*Scales,
*Belmont,	*Dunn,	McCook,	*Simonton,
*Beltzhoover,	Dwight,	*McKenzie,	*Singleton, Jas. W.
*Berry,	*Ermentrout,	*McMillin,	*Springer,
*Blackburn,	*Evins,	*Mills,	Stone,
*Blanchard,	Farwell, Sewell S.	*Money,	Strait,
Browne,	*Flower,	Morey.	*Thompson, P. B.
*Buchanan,	*Forney,	*Morrison,	*Townshend, R. W.
*Buckner,	Fulkerson, (Readj.,)	*Morse	*Tucker,
Butterworth,	*Garrison,	*Moulton,	*Turner, Henry G.
*Cabell,	*Gunter,	*Muldrow,	*Turner, Oscar
*Caldwell,	*Hammond, N. J.	*MURCH,	*Upson,
*Carlisle,	*Hardenbergh,	*Mutchler,	*Valentine,
*Cassidy,	*Harris, Henry S.	Parker,	*Vance,
*Clements,	*Hatch,	Payson,	*Warner,
*Colerick,	*Herndon,	Peelle,	Webber,
*Covington,	*House,	Peirce,	*Wellborn,
*Cox, William R.	JONES, GEORGE W.	*Randall,	*Whitthorne,
*Cravens,	*Kenna,	RICE, THERON M.	*Williams, Thomas
*Culberson,	*King.	*Richardson, Jno. S.	*Wise, George D.
Cullen,	*Klotz,	Ritchie,	

NAYS—12.

Belford,	Darrall,	Pound,	Smith, Dietrich C.
Calkins,	Hill,	Rich,	Tyler,
Caswell,	Jadwin,	Skinner,	Wadsworth.

Ayes, Democrats 73; Republicans 19; Greenbackers 2; Readjusters 1.

Nays—all Republicans.

Mr. WARD promptly made the point of order that no quorum had voted, and the consideration of the question was postponed until the day following, when Mr. Kelly interposed a motion to recommit the bill to the Committee on Ways and Means. A long parliamentary struggle ensued, ending in one of Speaker Keifer's characteristic decisions that the motion was in order, and so the bill was postponed for another day, when the question recurred on Mr. Kelley's motion to recommit the bill to the Committee on Ways and Means Mr. Tucker moved to amend the motion to recommit by adding the following:

"With instructions to report a bill which shall allow, under proper regulations, a drawback or rebate equal to the whole amount of duties paid or chargeable thereon on any and all imported materials which shall be used in the construction and equipment of any steam or sail vessel constructed and equipped within the United States for any citizen of the United States or for any foreign citizen or subject: *Provided*, That the same shall not apply to any such vessel to be engaged in the coastwise or internal commerce of the United States."

The question was taken; and there were—yeas 84, nays 96—as follows:

YEAS—84.

*Armfield,	*Dibrell,	*King,	*Richardson, Jno. S.
*Atkins,	*Dowd,	*Klotz,	Ritchie,
*Barbour,	*Dugro,	*Knott,	*Robertson,
Belford,	*Ermentrout,	*Latham,	*Robinson, Wm. E.
*Berry,	*Evins,	*Leedom,	*Rosecrans,
*Blackburn,	Fulkerson, (Readj.)	*Le Fevre,	*Simonton,
*Blanchard,	*Garrison,	*Manning,	*Singleton, Jas. W.
*Blount,	*Gunter,	*Martin,	*Singleton, Otho R.
*Buchanan,	*Hammond, N. J.	*Matson,	*Springer,
*Buckner,	*Hardy,	*McKenzie,	Steele,
*Cabell,	*Harris, Henry S.	*McMillin,	*Stockslager,
*Caldwell,	*Hatch,	*Mills,	*Thompson, P. B.
*Carlisle,	*Hewitt, Abram S.	*Morrison,	*Townshend, R. W.
*Chapman,	*Hoblitzell,	*Morse,	*Tucker,
*Clements,	*Holman,	*Moulton,	*Turner, Henry G.
*Colerick,	*Hooker,	*Mutchler,	*Turner, Oscar
*Covington,	*House,	*Oates,	*Upson,
*Cox, Samuel S.	JONES, GEORGE W.	Page,	*Warner,
*Cox, William R.	*Jones, James K.	Prescott,	*Wellborn,
*Cravens,	Kasson.	*Reagan,	*Whitthorne,
*Culberson,	*Kenna,	RICE, THERON M.	*Williams, Thomas

NAYS—96.

Aldrich,	Farwell, Sewell, S.	O'Neil,	Spaulding,
Anderson,	Fisher,	Parker,	Spooner,
Bayne,	Godshalk,	Payson,	Strait,
Briggs,	Harris, Benj. W.	Peelle,	Taylor,
Browne,	Haskell,	Pierce,	Townsend, Amos
BRUMM,	Hazelton,	Pettibone,	Tyler,
Buck,	Henderson,	Pound,	Updegraff, J. T.
Burrows, Julius C.	Hill,	Ranney,	Updegraff, Thomas
Butterworth,	Horr,	Ray,	Valentine,
Calkins,	Houk,	Rice, William W.	Van Aernam,
Campbell,	Jacobs,	Rich,	Van Horn,
Candler,	Jadwin,	Richardson, D. P,	Van Voorhis,
Cannon,	Kelley,	Robeson,	Wadsworth,
Carpenter,	Ketcham,	Robinson, Geo. D.	Wait,
Caswell,	Lacey,	Robinson, James S.	Walker,
Chace,	Lewis,	Russell,	Ward,
Cullen,	Lord,	Ryan,	Washburn,
Cutts,	Lynch,	Shallenberger,	Watson,
Darrell,	McClure,	Sherwin,	Webber,
Davis, George R.	McKinley,	Shultz,	White,
Dawes,	Miller,	Skinner,	Williams, Chas. G.
Deering,	Moore,	Smalls,	Willits,
De Motte,	Morey,	Smith, A. Herr,	Wilson,
Errett,	Norcross,	Smith, Dietrich C.	Young.

Ayes: Democrats 75 ; Republicans 6 ; Greenbackers 2 ; Readjusters 1.

Nays—Republicans, 95, Greenbacker, 1.

So the amendment was lost.

The motion of Mr. KELLEY was agreed to by a vote of ayes 100, nays 71, as follows: Ayes—Republicans, 96 ; Greenbackers, 3. Nays—Democrats, 70 ; republicans, 1.

YEAS—100.

Aldrich,	Crowley,	Henderson,	Norcross,
Anderson,	Cullen,	Hill,	O'Neill,
Bayne,	Cutts,	Horr,	Page,
Belford,	Davis, George R.,	Houk,	Parker,
Bisbee,	Dawes,	Jacobs,	Payson,
Briggs,	Deering,	Jadwin,	Peelle,
Browne,	De Motte,	Kasson,	Peirce,
BRUMM,	Dingley,	Kelley,	Pettibone,
Buck,	Errett,	Ketcham,	Pound,
Burrows, Julius C.,	Farwell, Sewell S.,	Lewis,	Prescott,
Butterworth,	Fisher,	Lord,	Ranney,
Calkins,	George,	Lynch,	Ray.
Campbell,	Godshalk,	McClure,	RICE, THERON M.
Candler,	Harris, Benj. W.	McKinley,	Rice, William W.,
Carpenter,	HASELTINE,	Miller,	Rich,
Caswell,	Haskell,	Moore,	Ritchie,
Chace,	Hazleton,	Morey,	Robeson,

Robinson, Geo. D.	Smalls,	Strait,	Van Voorhis,
Robinson. Jas. S.	Smith, A. Herr	Taylor,	Walker,
Russell,	Smith, Dietrich C.,	Townsend, Amos,	Ward,
Ryan,	Spaulding,	Tyler,	Watson,
Shallenberger,	*Speer,	Updegraff, J. T.	Webber.
Sherwin,	Spooner,	Valentine,	Williams, Chas. G.,
Shultz,	Steele,	Van Aernam,	Willits,
Skinner,	Stone,	Van Horn,	Young.

NAYS—71.

*Atkins,	*Culberson,	*Jones, James K.	*Robertson,
*Belmont,	*Dibrell,	*Kenna,	*Robinson, Wm. E.
*Berry,	*Dowd,	*King,	*Rosecrans,
*Blackburn,	*Dunn,	*Klotz,	*Simonton,
*Blanchard,	*Ermentrout,	*Knott,	*Singleton, Otho R.
*Buchanan,	*Evins,	*Latham,	*Springer,
*Buckner,	*Flower,	*Leedom,	*Stockslager,
*Cabell,	*Garrison,	*Le Fevre,	*Thompson, P. B.
*Caldwell,	*Gunter,	*Manning,	*Townshend, R. W.
*Carlisle,	*Hammond. N. J.	*Martin,	*Tucker,
*Cassidy,	*Hardy,	*Matson,	*Turner, Henry G.
*Chapman,	*Harris, Henry S,	*McMillin,	*Turner, Oscar.
*Clements,	*Hatch,	*Mills,	Updegraff, Thomas.
*Colerick,	*Hewitt, Abram S.	*Morrison,	*Upson,
*Covington,	*Hoblitzell,	*Morse,	*Wellborn,
*Cox, Samuel S.	*Holman,	*Mutchler,	*Whitthorne.
*Cox, William R.	*House,	*Oates,	*Williams, Thomas.
*Cravens,	*Hutchins,	*Reagan,	

SHERMAN'S PET BANK.

HOW IT HELPED HIM REFUND THE DEBT—A MONOPOLY OF THE FOUR PER CENT. BONDS—$115,000,000 MADE OFF THE GOVERNMENT—$5,000,000 BORROWED FROM THE BANK AND NEVER PAID BACK.

Secretary Sherman, at the conclusion of his funding operations in the fall of 1879, sent out a letter of congratulation to the people claiming that he had saved to the Government millions of dollars of interest. "The great Secretary" failed, however, to state in his pronunciamento that at the very time of this wasted saving he gave away hundreds of thousands of dollars to pet banks, which could also have been saved to the people. The return to prosperity in 1879 made the Government bonds a very desirable security. Sherman and Hayes, in their report to Congress, were claiming much credit for resumption and the refunding operations, which in reality they had little to do with.

The refunding of the ten-forty bonds into four per cent. is a disgraceful history.

There were $740,000,000 of the four per cent. bonds sold at par, and a half of one per cent. commission, netting the Government 99½ cents. The market value of the four per cents can be put at $1.07, which would make the $740,000,000 of four per cents worth $851,800,000. But at 99½ they netted the Government only $736,300,000, or a profit to the speculators of $115,500,000. The principal purchaser was the First National Bank of New York, the heir and successor of the notorious Jay Cooke, McCulloch & Co. This bank, with a capital of only half a million dollars, on the 14th of June, 1879, owed the Government $128,109,071 for bonds.

In a circular issued October 7, 1879, the bank boasted that it had sold over $400,000,000 of the $737,157,050 of four per cents issued up to that time.

It was an institution of obscure and uncertain credit at the time its present owners came into control, which, singularly enough, was of the same date as the incoming of the present administration. In so short a time it has acquired

a relation with the Government that the Bank of England and the Rothschilds could never accomplish with any government.

The four per cent. bonds were selling rapidly and on better terms for the Government. Private and State trusts were being converted into these bonds. They were becoming inevitably a popular security, when Mr. Sherman suddenly announces that he has received subscriptions for all that he can sell; that is, that over $150,000,000 have been subscribed for, which will enable him to take up all the ten-forty (higher rate of interest bonds) that will fall due for two years. This, he said, was a saving of interest for two years. But it took time to learn what the Secretary failed to state: that he had *given his pet bank the monopoly* of these bonds. In two days they were at a premium of two per cent. Of the ten-forty called bonds the national banks had nearly $100,000,000 on deposit with the Government for their security. With the call their interest stopped. Of course, the banks would desire to replace them with an interest-bearing bond. The only bond to be purchased was the four per cent. bond, which the pet bank now controlled. Inside of a week this bond was raised to a premium of 106. If Mr. Baker, the cashier, refused to sell a bond at 102½, inside of an hour the Government four per cents were quoted at 102¾, and so the premium was forced up. The national banks, mostly in the West, which had the ten-forties, were compelled to buy the four per cents of the First National Bank of New York. Some of the national banks held off and did not readily come to terms, saying they would rather lose the interest than be fleeced by Mr. Sherman's bank. The latter institution, by reason of this, soon found itself in a predicament. By arbitrary action it kept up the price of four per cents.

On the first of August, 1879, one of its subscriptions for forty millions fell due. Mr. Sherman was in the Maine campaign at the time. Mr. Gilfillen, Treasurer of the United States, needing some money to pay interest, made a draft upon the bank for six million dollars. The bank was not selling many bonds, and could not pay the draft. It had overreached itself. It had put the bonds at too high a premium. The bank telegrahped Mr. Sherman in Maine and Mr. Sherman telegraphed Mr. Gilfillen not to press his draft. Then Mr. Sherman hurriedly left Maine for Washington and *issued an order extending the time for payment by the bank two months.* Mr. Sherman then went to Ohio to make speeches and tell the people how well he had refunded the debt. With his first speech, however, came the publication of his transactions with the pet bank. He made a poor effort at explanation before the Cincinnati Chamber of Commerce, saying the bank did not take actual possession of the bonds until paid for, but he did not say that the bank had the coupons and up to that time had drawn *eight hundred thousand dollars' interest.*

The exposure run Mr. Sherman out of Ohio, where he had engaged himself for ten speeches. On his return to Washington he issued an order that no news was to be given to the press, except on his order, by any employee of the Treasury Department. The exposure which drove him out of Ohio had leaked from the treasury. This pet bank and its associates were then levied upon for money to help elect Foster over Ewing as Governor of Ohio.

The First National Bank finally paid for its bonds *after having them five months on credit,* and during which time it regularly drew the interest.

This bank, as before stated, is the heir of and pretty much owned by the former Jay Cooke concern, of which John Sherman was a stockholder.

In 1877, when Mr. Hayes was anxious to get Packard, who had received more votes than he had in Louisiana, out of the gubernatorial fight, he sent a commission to accomplish his end. Below is the correspondence which shows how this same bank advanced the money. Mr. Sherman has since had the audacity to ask Congress to appropriate it, but as yet the bank must be contented with its pay in the way of profits on the bonds. Charles F. Conant was Assistant Secretary of the Treasury, and went through that open passage way between the Treasury Department and the syndicate to become the London mutual friend of the treasury and the syndicate. He is now Mr. Sherman's confidential agent abroad.

(Private and confidential.)
TREASURY DEPARTMENT, March 23, 1877.

GEORGE T. BAKER, Cashier First National Bank, N. Y.

My Dear Mr. Baker: The President has decided to send a commission, composed of men of prominence and respectability, to some of the Southern States for the purpose of healing, if possible, the present political difficulties which exist in them. It is also hoped that this course will secure to the administration and the government the moral support and aid of the persons residing in Southern localities. The only practical difficulty in the way of carrying out this grand project arises from the want of an appropriation. Your bank can remove that difficulty, and it is for the purpose of securing your aid in this matter that I address this letter to you, believing that you will cheerfully co-operate in a work which has for its aim and object the peaceful solution of grave and perplexing difficulties. The amount which will be required will probably fall between $3,000 and $5,000. What I have to suggest is this: that your bank advance the money to some person who will be appointed disbursing agent and receive from him the vouchers, which he will take when he makes the disbursement. When Congress convenes again a deficiency appropriation will be asked for by the Executive for the purpose indicated above, and what you shall advance will be promptly returned to you. I do not think there can be any hazard or risk in this matter, or I would not suggest it. I have thought also that you would be pleased to have the opportunity to render the aid which is so much needed for a good purpose at this time. I shall be glad to receive an early reply to this letter. With much respect, I am truly yours,

(Signed.) CHARLES F. CONANT.

The Treasury Department but Congress has not performed.

Baker's answer was as follows:

FIRST NATIONAL BANK, N. Y., March 24, 1877.

MY DEAR CONANT: I am in receipt of your letter of yesterday in regard to making an advance of money for the expenses of the commission to be appointed by the President to visit the Southern States, and beg to say that the bank will take pleasure in extending the accommodation in the manner requested.

(Signed) Yours, truly, GEO. T. BAKER.

James D. Powers, a Treasury clerk, and a stenographer, both paid by the Treasury, were detailed to go with the commission.

Conant then writes:

TREASURY DEPARTMENT,
Washington, D. C., March 29, 1877.

MY DEAR MR. BAKER: Enclosed I send you a copy of a letter addressed to the gentlemen composing the commission about to visit the South, from which you will see that Mr. Jas. D. Powers, of this department, is to act as disbursing agent.

The committee will probably leave here Monday next, and I will thank you to transmit to Mr. Power, *in my care*, a draft in his favor for $5,000.

Truly yours.

(Signed) CHAS. F. CONANT.

The enclosure is as follows:

TREASURY DEPARTMENT, March 28th, 1877.

Addressed to LAWRENCE, HARLAN, BROWN, HAWLEY and MCVEIGH.

GENTLEMEN: This will be presented to you by Mr. Jas. D. Powers, a clerk of this department, who has been detailed to accompany you on your proposed trip South, in the capacity of disbursing agent. He will also provide for your transportation and subsistence, and will make such other arrangements as may be necessary for your comfort and convenience. Mr. Power has the confidence of the department, and is a trustworthy gentleman.

Very respectfully,

(Signed) JOHN SHERMAN, Sec'y.

The five members of this commission in three weeks spent all of the $5,000 to a cent. John M. Harlan, according to the evidence before the Potter Committee, told General Boynton that he expected to get a place on the United States Supreme bench for his work on this commission, and so he did. He carried his son along with him, whose expenses were also paid out of the common fund.

RAILWAY LEGISLATION.

MR. HOLMAN'S STATISTICS.

To round out the record of the monopoly tendency of the Republican party one must look at the history of its railway legislation. This branch of the subject was elaborately reviewed by Mr. HOLMAN, of Indiana, in a speech in the House, July 7th, 1882, from which we quote as follows:

"Thirty years ago in the first gathering of its elements the Republican party at Pittsburgh adopted this resolution:

Resolved, That the public lands of the United States belong to the people, and should not be sold to individuals, nor granted to corporations, but should be held as a sacred trust for the benefit of the people, and should be granted, in limited quantities, free of cost, to landless settlers.

"It was greatly to the honor of that party and the eminent statesmen who organized its forces that ten years after the adoption of that resolution the party fulfilled its early promise by the enactment of the homestead law. It was an honorable beginning, but that great party twenty years ago, devoting for the coming ages the grand public domain of that day for homes for the landless and prosperous and happy firesides for all men who would assert the rights of labor, and that party of to-day, turning that bountiful gift of nature to mankind over to the grasping millionaire and the plundering spoilsman and using the powers of Government to drive off the laboring man from the fields enriched by his labor and on which he was invited to enter by that very homestead law for the benefit of incorporated power, is the most striking and humiliating contrast known to the history of free government.

"The facts which I shall present will show how tamely I have presented the case. The great parties which had controlled the Government for three-quarters of a century had husbanded the public lands with jealous solicitude; their policy at times seemed almost miserly. They did not underestimate the value of this great inheritance; they saw in the fertile and boundless fields of the West the strong bulwark of the republican institutions they were cherishing; they saw in those fields the safety of labor against the oppression of capitalized power; they felt and knew that while that refuge remained, while the strong arm and the brave heart of labor was sure of a freehold, a home, and a fireside against all the accidents of fortune the Republic was secure.

"The monarchies which had held posession in North America, the English, the French, and the Spaniard, had granted to favorities large estates in land. And why not? Such is the instinct of monarchy. Our fathers hoarded the public lands to secure homes for the people. They did not enact a homestead law, for the public Treasury during a long period required the price, little more than nominal, charged for the public lands. It was no hardship, for there were no overgrown estates; and hence poverty was almost unknown. Under this policy the great States stretching westward from the Alleghanies to the Mississippi and still

onward were settled; the general equality in wealth was maintained; no princely estates; no cry of labor for bread. Up to the time the Republican party came into power not an acre of land had been granted by Congress to a corporation; but the grants made by Congress to States for internal improvements and applied by the States to making of roads, canals, and railroads amounts in the aggregate to 31,600,846. This includes all the grants made by Congress from the adoption of the Federal Constitution on the 17th day of September, 1787, to the 4th day of March, 1861, when the party now controlling public affairs came into power, covering a period of seventy-four years.

"And here I present, sir, a table of the grants of public lands made by Congress since the Republican party came into power on the 4th day of March, 1861, covering a period of twenty-one years—not grants made to States for public purposes and subject to State control and State taxation, but made to corporations for the gain and profit of corporations which are even now almost, if not entirely, above either State or Federal control.

No. 1.—*Statement exhibiting land concessions by acts of Congress to States and corporations for railroad, canal, and military wagon-road purposes from March 4, 1861, to June 30, 1874.*

States and corporations.	Date of laws.	Name of road.	Number of acres in the grant.
			Acres.
Arkansas	July 28, 1866	Cairo and Fulton	1,040,000.00
Do	July 28, 1866	Memphis and Little Rock	365,539.00
Do	July 28, 1866	Little Rock and Fort Smith	452,771.00
Do	July 4, 1866	Iron Mountain	864,000.00
Missouri	July 28, 1866	Cairo and Fulton	182,718.00
Do	July 4, 1866	Saint Louis and Iron Mountain	640,000.00
Iowa	June 2, 1864	Burlington and Missouri River	96,646.55
Do	June 2, 1864	Chicago, Rock Island and Pacific	160,991.23
Do	Jan. 31, 1873	Act to quiet the title to certain lands in the State of Iowa	1,298,739.00
Do	June 2, 1864	Cedar Rapids and Missouri River	356,988.00
Do	May 12, 1864	McGregor and Missouri River	1,536,000.00
Do	May 12, 1864	Sioux City and Saint Paul	524,800.00
Michigan	June 7, 1864	Grand Rapids and Indiana	531,200.00
Do	March 3, 1865	Bay de Noquet and Marquette	128,000.00
Do	July 5, 1862	Chicago and North Western	564,480.00
Do	March 3, 1865	do	
Wisconsin	May 5, 1864	West Wisconsin, formerly the La Crosse and Milwaukee	
Do	March 3, 1873	Act to quiet the title to the lands of settlers claimed by West Wisconsin Railway Company	1,305,600.00
Do	May 5, 1864	Saint Croix and Lake Superior and branch to Bayfield	883,737.74
Do	May 5, 1864	Wisconsin Central	1,800,000.00
Minnesota	March 3, 1865	Saint Paul and Pacific Brainerd Branch	1,475,000.00
Do	March 3, 1871	Saint Vincent extension of Saint Paul and Pacific	2,000,000.00
Do	May 5, 1864	Lake Superior and Mississippi	920,000.00
Do	July 4, 1866	Southern Minnesota	735,000.00
Do	July 4, 1866	Hastings and Dakota	550,000.00
Kansas	March 3, 1863	Leavenworth, Lawrence and Galveston	800,000.00
Do	March 3, 1863	Missouri, Kansas and Texas	1,520,000.00
Do	March 3, 1863	Atchison, Topeka and Santa Fe	3,000,000.00
Do	July 23, 1866	Saint Joseph and Denver City	1,700,000.00
Do	July 25, 1866	Missouri River, Fort Scott and Gulf	2,350,000.00
Corporations	July 1, 1862	Union Pacific	12,000,000.00
Do	July 1, 1862	Kansas Division	6,000,000.00
Do	July 1, 1862	Denver Division	1,100,000.00
Do	July 1, 1862	Central branch Union Pacific	245,166.00
Do	July 1, 1862	Central Pacific	7,997,600.00
Do	July 1, 1862	Western Pacific	1,100,000.00
Do	July 25, 1866	Oregon Branch	3,724,800.00
Do	July 1, 1862	Sioux City and Pacific	41,318.00
Do	July 2, 1864	Northern Pacific	48,215,040.00
Do	July 27, 1866	Southern Pacific	11,964,160.00
Do	July 27, 1866	Atlantic and Pacific	49,294,883,00
Do	May 4, 1870	Oregon Central	3,701,760.00
Do	March 3, 1871	Texas and Pacific	18,000,000.00
Do	March 3, 1871	New Orleans Pacific	903,218.00
Total number of acres granted to railroads			192,081,155.52

GRANTS FOR ROADS AND CANALS.

States and corporations.	Date of laws.	Name of road.	Number of acres in the grant.*
Wisconsin	From 1863 to 1870.	Wagon-roads	302,930.36
Michigan	From 1863 to 1870.	Wagon-roads	221,013.35
Oregon	From 1864 to 1869.	Wagon-roads	1,888,600.00
Wisconsin	April 10, 1866	Breakwater and Harbor Ship Canal	200,000.00
Michigan	March 3, 1865	Portage Lake and Lake Superior Ship Canal	200,000.00
Do	July 3, 1866	do	200,000.00
Do	July 6, 1866	Lac La Belle Ship Canal	100,000.00
			3,112,543.00

*Estimated.

RECAPITULATION.

Grants to railroad corporations	192,081,155.52
Grants for roads and canals	3,112,542.00
Total	195,193,697.52

"Thus while the old parties, Federalist, Democrat, and Whig, had carefully guarded the public land through a period of seventy-four years against the countless schemes of proposed and pretended development and improvement, through which the designing and the crafty sought to reach them, and through that long period granted 31,600,846 acres to States for internal improvements, the Republican party in a period of fourteen years gave to railroad corporations 192,081,155.52 acres. All of these grants, aggregating 192,081,155.52 acres, were made between the 4th day of March, 1861, and the 4th day of March, 1875, a period of fourteen years, for on the 4th day of March, 1875, the Democratic party came into the control of this House, and since then no grant has been made, renewed, or enlarged.

"And who can estimate the fatal injury inflicted by this system on the integrity of the public service? Each grant has its own peculiar history of national humiliation.

"The exhaustion of the public land was not the only evil of this system of land grants. In the many struggles to renew, enlarge, and extend the grants, spectacles were presented on this floor which cannot be recalled without a sense of national humiliation and dishonor, when great stockholders of the corporations holding these grants, members of this House, unblushingly attempted to vote in their own interest, and were arraigned before the bar of the House for the discreditable attempt. When the most fertile regions of the public domain had been reached and appropriated by these grants, and not till then, the minority of this House were able to check this corrupting policy. The time for the completion of these land-grant railroads has expired. The last grant, according to various laws creating the grants, expired on the 2d day of May, 1882, The time for the completion of the Northern Pacific Railroad, with its enormous grant of 48,215,040 acres, expired on the 4th day of July, 1879.

"In all of these grants, except to the Northern Pacific, it is in substance provided that the corporations should complete a specified portion of their respective roads each year, receiving the lands accruing upon the completion of each section of twenty miles, and should complete their respective roads within a specified period, generally ten years, and upon failing to do so the lands remaining should "revert to the United States." In some of these acts the language is still more specific and declares that upon such failure the act shall be "null and void," and the remaining lands "shall revert to the United States." There is not the least ambiguity in the conditions to these grants, by which the corporation is entitled to a given number of sections of land on the completion of each section of twenty miles, and if there is a failure to complete the road within the period specified the remaining land "shall revert to the United States."

"In the grants to the Northern Pacific Railroad Company the terms are different. The eighth section of the act is specific and unequivocal. It is as follows:

SEC. 8. *And be it further enacted*, That each and every grant, right, and privilege herein are so made and given to, and accepted by, said Northern Pacific Railroad Company, upon and subject to the following conditions, namely: That the said company shall commence the work on said road within two years from the approval of this act by the President, and shall complete not less than fifty miles per year after the second year, and shall construct, equip, furnish, and complete the whole road by the 4th day of July, Anno Domini 1876.

There is no ambiguity in this language. Each and every grant, right and privilege herein is "given to, accepted by" said company on the condition that the work shall be commenced within two years after the approval of the act, (July 12, 1864,) not less than fifty miles a year shall be completed after the second year, and the whole road shall be constructed, equipped, furnished, and completed by the 4th day of July, 1876. Then follows the most unmeaning jumble of words ever hid in the verbiage of an act of Congress, written as if the crafty lawyer who drew it wished to create an ambiguity on which a corporation might set up some pretense of a right not granted by the law. Here is this remarkable section:

SEC. 9. *And be it further enacted*, That the United States make the several conditioned grants herein, and that the said Northern Pacific Railroad Company accept the same, upon the further condition that if the said company make any breach of the conditions hereof, and allow the same to continue for upward of one year, then, in such case, at any time hereafter, the United States, by its Congress, may do any and all acts and things which may be needful and necessary to insure a speedy completion of the said road.

"If this corporation gains anything by this section it will only be when it is sufficiently powerful to order the interpretation of a law against the plainest dictates of common sense. It accepts the grant on the condition that its "whole road" shall be completed by the 4th day of July, 1876, and if it breaks its contract then the United States may do what is necessary "to insure a speedy completion of said road." Well, suppose this corporation forfeited its land grant by failing to complete its road by the 4th day of July, 1879, for the time was extended by the joint resolution of May 7, 1866, to that date, without any other change in the conditions, and Congress declared, as it rightfully might and should, the remaining lands forfeited to the United States, certainly the Government might complete the road if it thought proper and had the constitutional power, or might regrant the lands for that purpose; but does this ninth section confer a power or impose a duty on the United States? Does it mean that Congress cannot declare the forfeiture under the eighth section without providing for the completion of the road?

"No, sir; it means simply that the United States might do exactly what it might have done if this ninth section had not been a part of the law. This corporation will have to be stronger than Congress or the Federal judiciary before it will be able to obtain a decision that the United States cannot declare the forfeiture under the eighth section until they assume the obligation to complete the road under the ninth section. Perhaps this corporation will have the effrontery to claim that under the ninth section if it forfeits the grant, then the United States are compelled to complete the road for its benefit. And yet this extraordinary claim would not be more startling than the claim that if the corporation forfeited its rights then the United States were bound to provide for the completion of the road for the benefit of the United States. But happily the last section of the act leaves the whole subject under the control of Congress. It provides:

SEC. 20. *And be it further enacted*, That the better to accomplish the object of this act, namely, to promote the public interest and welfare by the construction of said railroad and telegraph line and keeping the same in working order, and to secure to the Government at all times (but particularly in time of war) the use and benefits of the same for postal, military, and other purposes, Congress may at any time, having due regard for the rights of said Northern Pacific Railroad Company, add to, alter, amend, or repeal this act.

"The stump-speech in favor of this imperial grant embodied in this last section, craftily framed as it is, will deceive no one; it has but one meaning, and that is "that Congress may at any time, having due regard for the rights of said Northern Pacific Railroad Company, add to, alter, amend, or repeal this act." In view of the forfeiture which occurred of this grant on the 4th day of July, 1879, what rights have that corporation which the United States are bound either in law or equity to regard?

"It might have been fairly presumed that, as those corporations were entitled to patents for the land as each successive section of the road was completed, the land remaining when the period for the final completion of each road expired would at once become a part of the public domain; but the Supreme Court holds otherwise, that the law vested in the corporation the right to the land, that the condition of forfeiture for failing to complete the road within the time specified was a "condition subsequent," and hence an act of Congress was necessary to declare the forfeiture and restore the land to the public domain. I present here a statement of the several grants which have been forfeited. The last of these grants, that to the Texas Pacific Railroad Company, expired on the 2d day of May, 1882.

No. 2—*Land grants which have been forfeited by the failure of the corporations to complete their roads in conformity with law.*

Name of railroad.	States in which located.	Grant by act approved—	Grant to—	Alternate sections within—	With indemnity within—	Extended by act approved—	Estimated quantity of lands granted.
							Acres.
Gulf and Ship Island	Mississippi	Aug. 11, 1856	State	6 miles...	15 miles...		652,800.00
Alabama and Florida	Alabama and Fla	May 17, 1856	States	6 miles...	15 miles...		419,520.00
Coosa and Tennessee	Alabama	June 3, 1856	State	6 miles...	15 miles...		132,480.00
Mobile and Girard	do	June 3, 1856	do	6 miles...	15 miles...		840,880.00
Coosa and Chattanooga	do	June 3, 1856	do	6 miles...	15 miles...		150,000.00
Alabama and Chattanooga, formerly Northeast and Southwest Alabama, and Wills Valley Railroads	Alabama	June 3, 1856	do	6 miles...	15 miles...	Apr. 10, 1869	897,990.00
Pensacola and Georgia	Florida	May 17, 1856	do	6 miles...	15 miles...		1,568,729.87
Florida, Atlantic and Gulf Central	do	May 17, 1856	do	6 miles...	15 miles...		183,153.99
North Louisiana and Texas, formerly Vicksburgh, Shreveport and Texas Railroad	Louisiana	June 3, 1856	do	6 miles...	15 miles...		610,880.00
New Orleans, Baton Rouge and Vicksburgh	do	Mar. 3, 1871	Company	20 miles...	30 miles...		3,800,000.00
Saint Louis and Iron Mountain	Missouri	July 4, 1866	State	10 miles...	20 miles...		640,000.00
Little Rock and Fort Smith	Arkansas and Missouri	Feb. 9, 1853 July 28, 1866	States do	6 miles... 10 miles...	15 miles.. 20 miles..		1,009,296.34
Detroit and Milwaukee	Michigan	June 3, 1856	State	6 miles...	15 miles...		355,420.00
Houghton and Ontonagon, formerly Marquette and Ontonagon	do	June 3, 1856 Mar. 3, 1865	do do	6 miles... 10 miles...	15 miles... 20 miles...	June 18, 1864 May 20, 1868	552,515.24
North Wisconsin, formerly Saint Croix and Lake Superior, and branch to Bayfield	Wisconsin	June 3, 1856 May 5, 1864	do do	6 miles... 10 miles...	15 miles... 20 miles...	May 5, 1864	1,408,455.69
Wisconsin Central, formerly Portage, Winnebago and Superior	do	May 5, 1864	do	10 miles...	20 miles...	Apr. 9, 1874	1,800,000.00
Saint Paul and Pacific, Saint Vincent extension, formerly branch to Red River of the North	Minnesota	Mar. 3, 1857 Mar. 3, 1865	Territory State	6 miles... 10 miles...	15 miles... 20 miles...	Mar. 3, 1873 June 22, 1874	2,000,000.00
Saint Paul and Pacific, Brainerd branch, formerly branch to Lake Superior	do	July 12, 1862 Mar. 3, 1865	do do	6 miles... 10 miles...	15 miles... 20 miles...	Mar. 3, 1873 June 22, 1874	1,475,000.00
Hastings and Dakota	do	July, 4, 1866	do	10 miles...	20 miles...		550,000.00
Oregon Central	Oregon	May 4, 1870	Company	20 miles...	25 miles...		1,200,000.00
Atlantic and Pacific	Various	July 27, 1866	do	Various...			42,000,000.00
Texas Pacific	do	Mar. 3, 1871 June 22, 1874	do	do			18,000,000.00
Northern Pacific	do	July 2, 1864	do	do			48,215,400.00

Total number of acres embraced in these grants	128,472,161.13
Length in miles of railroads as definitely located	12,080.00
Number of miles of railroad completed before expiration of grants	3,151.28

"It will be seen that this statement embraces many of the earlier grants and three of the great grants made within the fourteen years, many of the older grants having been extended and greatly enlarged within the last eighteen years. These twenty-three grants embrace 128,472,161.13 acres. The aggregate length of the railroads for which these grants were made is 12,080 miles, and the number of miles completed when the grants expired was 3,151 miles, so that a fraction over one-fourth of the roads was completed and the companies were entitled to only their proportion of the 128,472,161.13 acres when the forfeitures occurred, and in good faith and common honesty the rest of this enormous body of land reverted to the United States. Not a mile of some of these railroads has been constructed up to this day. The following table shows the number of miles which had been constructed by each of the great corporations above named when their grants expired, and the time of their expiration, including the Southern Pacific of California, which is not embraced in the foregoing table, but is embraced in the report of the Commissioner of the General Land Office made to the House on the 28th day of March, 1882, (House Executive Document No. 144, first session, Forty-seventh Congress:)

No. 3.—*Table of certain expired grants, &c.*

Name of railroad.	No. of acres in grant.	Length of road in miles.	When grant expired.	Miles completed when grant expired.
Atlantic and Pacific	42,000,000	2,426	July 4, 1878	125
Texas Pacific	18,000,000	1,483	May 2, 1883	181
Northern Pacific	48,215,040	2,270	July 4, 1879	531
Southern Pacific of California	5,511,264	522	July 4, 1778	125
Total	113,726,304	6,701	.....	962

"Thus it will be seen that four of these corporations, which received grants of the public lands amounting in the aggregate to 113,726,304 acres, a territory five times as large as the State of Indiana and 10,000,000 acres more, for the construction of 6,701 miles of railroad, had completed only 962 miles of railroad when the grants expired, leaving over 96,000,000 acres of the grants now rightfully belonging to the public domain. But since the decision of the Supreme Court that these grants vest from the beginning in the corporations, and on the forfeiture of the grant an act of Congress is necessary to restore these lands to the public domain, the Departments of the Government have treated those grants as still existing, notwithstanding the forfeiture; and I present a table, condensed from the report of the Secretary of the Interior for 1880–'81, volume 2, page 318, which presents in detail the condition of a large number of these grants:

No. 4.—*Table showing the grants to certain corporations, lands sold, &c.*

Name of railroad company.	Date of original land-grant act.	Date of amendatory land-grant act.	Number of miles covered by grants.	Estimated number of acres granted.	Total sales of lands.		Estimated quantity of acres of granted land remaining unsold.
					Acres.	Amount.	
Union Pacific (main line)	July 1, 1862	July 2, 1864	1,038.68	12,000,000	1,568,438.62	$7,432,534 98	10,431,561.38
Kansas Division (late Kansas Pacific)	July 1, 1862	July 2, 1864	638.6	6,000,000	1,433,953.32	4,266,589 32	4,566,046.68
Denver Division (late Denver Pacific)	July 1, 1862	Mar. 3, 1869	106	1,100,000	164,604.78	732,067 71	935,395.22
Central Branch Union Pacific	July 1, 1862	July 2, 1864	100	245,166	70,287.53	327,425 41	174,784.70
Central Pacific (east from Sacramento)	July 1, 1862	July 2, 1864	737.5	7,997,600			
Western Pacific	July 1, 1862	July 2, 1864	123.16	1,100,000	726,534.54	4,324,888 70	10,995,865.46
Oregon Branch	J'ly 25, 1866	.....	291	3,724,800			
Sioux City and Pacific	July 1, 1862	July 2, 1864	101.77	41,318.23	41,318.23	200,000 00	.....
Northern Pacific	July 2, 1864	May 31, 1870	2,317	42,000,000	2,593,983.18	9,089,453 99	39,406,016.82
Southern Pacific	J'ly 27, 1866	Mar. 3, 1871	934.70	11,964,160	279,623.40	1,999,396 06	11,684,536.60
Missouri Pacific	J'ne 10, 1852	.....	37				
Saint Louis and San Francisco	J'ne 10, 1852	.....	203	1,161,235.07	553,873.95	1,461 855 73	607,361.12
Atlantic and Pacific	J'ly 27, 1866	.....	1,755.70	49,244,803.26	220,259 20	623,369 04	49,024,544.06
Burlington and Missouri River	July 2, 1864	.....	190.5	2,441,600	1,041,525.74	6,836,329 11	1,400,074.26
Cedar Rapids and Missouri River	May 15, 1856	June 2, 1864	271.6	1,298,730	.....	.....	1,298,730
Hannibal and Saint Joseph	J'ne 10, 1852	.....	206.41	781,944.83	512,998.74	4,802 448 89	268,946.09
Saint Joseph and Western	J'ly 23, 1866	.....	227	1,700,000	.....	.....	1,700,000
Oregon and California	J'ly 25, 1866	.....	200	3,840,000	82,072.55	175,650 37	3,757,927.45
Oregon Central	May 4, 1870	.....	47.5	100,000	.....	.....	100,000
Saint Louis, Iron Mountain and Southern	Feb. 9, 1853	July 4, 1866 / J'ly 28, 1866	514	4,106,647.30	264,802 35	1,129,873 99	3,841,844.95
Memphis and Little Rock	Feb. 9, 1853	J'ly 28, 1866	133	804,185.80	.....	.....	804,185 80
Little Rock and Fort Smith	Feb. 9, 1853	J'ly 28, 1866	165.16	1,009,293.34	.....	.....	1,009,296.34
Missouri, Kansas and Texas	Mar. 3, 1863	July 1, 1864 / J'ly 26, 1866	183.2	1,520,000	435,554.07	1,604,014 97	1,084,445.93
Kansas City, Lawrence and Southern	Mar. 3, 1863	.....	143.22	800,000	199,759.58	597,166 88	600,240.42
Atchison, Topeka and Santa Fe	Mar. 3, 1863	.....	470.58	3,005,870	993,675.79	5,802,985 98	2,012,194 21
Chicago, Burlington and Quincy	May 15, 1856	June 2, 1864	279	948,643	283,014.52	3,430,572 05	665,628.48
Chicago, Rock Island and Pacific	May 15, 1856	June 2, 1864	317	1,261,181	371,854	2,944,374 00	889,327
Chicago, Milwaukee and Saint Paul	Mar. 3, 1857	May 12, 1864 / July 4, 1866	335	2,727,403	148,857	.....	2,580,546
Southern Minnesota	July 4, 1866	.....	167.05	735,000	.....	.....	735,000

No. 4.—*Table showing the grants to certain corporations, lands sold, &c.*—Continued.

Name of railroad company.	Date of original land-grant act.	Date of amendatory land-grant act.	Number of miles covered by grants.	Estimated number of acres granted.	Total sales of lands.		Estimated quantity of acres of granted land remaining unsold.
					Acres.	Amount.	
Chicago, Saint Paul, Minneapolis and Omaha	J'ne 3, 1856	May 5, 1864	177.5	999,983.38	252,752.73 77,374.81	$307,654 68	669,855.84
Saint Paul and Sioux City	Mar. 3, 1857	May 12, 1864	121.27	1,199,849.07	324,543.70	2,099,387 87	875,305.37
Sioux City and Saint Paul	May 12, 1864		122.35	551,148.57	232,127.35	1,506,135 66	319,021.22
North Wisconsin	June 3, 1856	May 5, 1864	42.5	1,408,452.69			1,408,452.69
Iowa Falls and Sioux City	May 15, 1856	June 2, 1864	183.69	1,226,163 05	314,275.41	2,098,994 25	361,419 68
Dubuque and Sioux City	May 15, 1856	June 2, 1864	142.89				550,467.96
Wisconsin Central	May 5, 1864		256.37	1,800,000	76,734.30	400,204 99	1,723,265 80
Winona and Saint Peter	Mar. 3, 1857	Mar. 3, 1865	323.22	1,852,989	557,574.98	1,045,801 58	1,295,414.02
Saint Paul, Minneapolis and Manitoba	Mar. 3, 1857	July 12, 1862 Mar. 3, 1865 Mar. 3, 1871	387	4,723,638.95	458,865	3,651,641 00	4,264,773.95
Saint Paul and Duluth	May 5, 1864	July 13, 1866	156	920.000	28,964	106,462 00	891,035.11
Stillwater and Saint Paul	Mar. 3, 1857	Mar. 3, 1865	13		12,862.01	60,386 34	52,251.63
Saint Paul, Stillwater and Taylor Falls	Mar. 3, 1857		18		9,028.73	47,813 06	35,217.74
Vicksburgh, Shreveport and Pacific	June 3, 1856	Forfeit'd by act of July 15, 1870.	93	610,880			610,880
Morgan's Louisiana and Texas	June 3, 1856		80	967,840			967,840
			14,351.12	179,922,528.54	14,310,204.16	68,905,479 31	164,512,334.38

'This table presents matter well worthy of consideration. While the Government, with seeming eagerness, is getting rid of what remains of the public land, and during the last fiscal year disposed of 10,893,397 acres, and received in cash $3,534,550, yet these corporations, with their immense land grants, the larger portion of which in quantity were made in 1862–'64–'66—and although the Union Pacific and its great branches were completed more than thirteen years ago, and thus became the absolute owner of its grant—have only sold off 14,310,204 acres and realized therefrom $68,995,479.31, and according to this table they will hold in reserve 164,512,334 of their grants.

"Yes, sir, those corporations are patiently waiting until the United States shall exhaust all that remains of the public lands adapted to agriculture, for then their monopoly is complete and every laboring and landless man in the United States is at their mercy. But it will be seen that even the larger portion of the lands sold are sold to the members of these corporations at the price of a fraction under $5 per acre, still to be held for speculation. It is therefore not at all surprising that an irresistible pressure is brought to bear upon Congress to exhaust the public lands, that 21,788,011 acres should have been surveyed last year (a territory larger than the State of Indiana) and brought within the reach of monopolizing speculators. The pressure of these corporations is felt by every Department of the Government, and the extent of their hold upon the public lands cannot be learned with certainty from the public records.

"Whoever, sir, shall carefully examine the foregoing tables, taken from the official records, will be startled by the discrepancies. In table No. 2 the grant to the Atlantic and Pacific is stated at 42,000,000; in table No. 4 at 49,244,803. In the report of the Commissioner of the General Land Office, before mentioned, of March 23, 1882, the grant to the Southern Pacific of California is estimated at 5,511,264; no such grant appears in table No. 2. In table No. 4, the grant to the Northern Pacific is put down at 42,000,000 and in table No. 2 at 47,000,000, and many others equally startling. I suppose that in such enormous grants a few million acres more or less is considered a matter of no moment. Some of these statements seem to come from the Commissioner of the General Land Office and some from the Auditor of Railroad Accounts. The estimates are vague and will be still more so in the future, as will appear, but the uncertainty will not reduce the grants.

"There is no branch of the public service so poorly understood as those corporate grants; there is no field in which corruption can riot so secure, and no officers of the Government so beset by temptations as those connected with these grants. Contests are constantly arising between these corporations and the settlers on the public lands, but when in these contests, whether before the courts or the Departments, and, I may add, before Congress, have these corporations failed?

"By disingeneous provisions in the grants and the 'art of definition,' these corporations are enabled to select their 'indemnity land' over a vast region of country, the Northern Pacific in places to a region one hundred and twenty miles in width. These 'indemnity lands' are withdrawn from the public domain at the same time the lands within the limits of the grant are withdrawn, and settlers over a vast region of country enter upon their homesteads at their peril. J. W. Le Barnes, one of the law clerks of the General Land Office, testified before the Senate Committee on Public Lands recently touching the rights of settlers in answer to questions as follows. Senator BLAIR submitted the questions:

Question. These are cases where men who have made their improvements in good faith have been ousted from their property by the railroad companies without compensation?
Answer. Yes, sir; or by the Land Department for the benefit of the railroad companies.
Q. Has it been the custom of the railroad company, or those who obtain these improved lands by virtue of this construction of the law making grants to them, to compensate the ousted parties for their improvements?
A. I have never heard that railroad companies compensated settlers for their improvements on lands decided by the Department to belong to the railroads. There have been many classes of cases in which the railroad companies have obtained land in this way.

This witness further testified as follows:

The decisions have been irregular. Sometimes they were one way and sometimes the other, but they have very generally been against the settler

Q. What other instance of hardships to settlers do you recall?

A. Referring to the general principle that homestead entries segregate the land so that it cannot be taken by any other form of disposal, I may mention a decision by the Secretary in 1879, known as the Kniskern case, (6 Copp., 50.) which is one of the classes of cases in which the principle stated is not applied in contests between settlers and railroad agents. In this case a soldier's homestead entry had been made on a tract of land in Minnesota, under the act of 1864, (R. S., sec. 2294.) which permitted soldiers in actual service to make their affidavits of intention to claim the land before a commanding officer. Thousands of soldiers availed themselves of this privilege, hoping, perhaps, to return from the field and have a farm to go to, or in any event to provide a home for family or parents. They did not always return. Their families could not always move out on the wild land. So that in most instances the required residence and improvement was wanting, and the entries were canceled in due course of time.

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While existing on the records, however, such entries operated to reserve the land under the general rules of law applicable to all homestead entries. The public knew no difference between these soldiers' homestead entries and homestead entries of any other class. Neither did the Department until 1879. Then it was held, in the Kniskern decision, that the soldier's entry in that particular case was *prima facie* invalid in its inception, and, therefore, that it did not operate to except the land from a railroad grant. All the lands that had been covered by these entries had been re-entered by other persons after the homestead entry had been canceled. The soldier's entry was a homestead claim, and homestead claims as well as rights were excepted from the grants For fifteen years settlers had been educated by practice and precedent to believe that second entries made after the cancellation of the first would be respected. They knew that neither themselves nor others could legally go on the land until the former entry had been adjudged invalid. They did not know that railroad companies had rights that citizens did not possess.

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The final renewal by Congress of the grant for the Saint Paul and Pacific extension lines (now the Western and the Saint Paul, Minneapolis and Manitoba Railroads) (18 Stat., 203) was made upon the express condition that the rights of actual settlers and their grantees, who, on June 22, 1874, were residing on the formerly granted lands, or who otherwise had legal rights in any of such lands, should "be saved and secured to such settlers, or such other persons, in all respects the same as if said lands had never been granted to aid in the construction of the said lines of railroad." This grant had twice before been forfeited and renewed. A change of route had been authorized, and the original grant had been increased from six to ten sections per mile. The condition affixed to the last renewal was followed by another condition that any company taking the benefit of the act should, before acquiring any rights under it, file an acceptance, under seal, of the condition above recited. This acceptance was never filed. The Department thereupon held the act inoperative, and rejected the claims of settlers who had settled in good faith on the formerly granted lands prior to June 22, 1874.

But it does not appear to have regarded the rights of the railroad companies to have been in any wise impaired thereby, as 136,000 acres of public land have been certified or patented to one of these companies, and 500,000 acres to the other, since the inoperative act was passed. The Department in terms declared the act inoperative for any purpose, but practically the act appears to have been inoperative only as to the settlers whose rights were protected by it while remaining in full force and effect as to the corporations that acquired no right under it. The further claims of these companies to an additional amount of land, aggregating 1,800,000 acres beyond the amount already received, also continues to be recognized as valid on the ground that the effect of forfeiture by legislative resumption and control of granted property, and a new disposal of it upon special conditions, can be avoided by the failure of the grantee to accept the conditions upon which the renewal of his forfeited right depends.

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Leandro Serrano with his family settled on land in California in 1835, before the acquisition of the territory by the United States. The tract was a part of a rancho, which, after the Mexican cession, was claimed by Serrano under a former grant. The grant failed. Serrano died. His widow continued to reside on the land. The township was not surveyed until 1874. in 1877 Mrs. Serrano applied to enter the land under the pre-emption law. In 1879 (6 Copp, 93,) her application was rejected, and the land was awarded to the Southern Pacific Railroad Company, the line of whose road had been run in 1875 past the land occupied by her. At that time Mrs. Serrano had lived on the land for forty years. The grant to the company could legally take no land not "free from pre-emption or other claims or rights." Such were the terms of the granting act. But it was held that as Mrs. Serrano had not filed the formal notice of her claim under the pre-emption laws within three months after the survey of the township she had forfeited her claim.

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It frequently occurs that a settler, not a native-born citizen of the United States, has neglected to declare his intention to become a citizen before applying to make entry under the settlement laws. This innocently happens in many instances from a reliance on a father's supposed naturalization, which cannot afterward be proven. But from whatever cause the neglect arises, it has not until recently been held that the absence of proof of declaration at date of filing a pre-emption or homestead claim invalidated the claim if citizenship was acquired before the entry was perfected. Now it does; and the effect of the more recent ruling, which was made in a railroad case, has been to destroy an equitable construction of the law that had been recognized for a long term of years, in the practice of the Department, as founded on judicial precedents.

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The doctrine that a railroad grant is an adverse claim to lands excepted from the grant is illustrated in a still more recent case of the same character, where no grant had ever

taken effect. Samuel H. Bratton settled on land in California in 1870. He continued so to reside, and placed valuable improvements on the land, He was qualified to make an entry under the settlement laws, and he complied with all the requirements in respect to residence, improvement, and cultivation. The land was unsurveyed. In 1871, after Bratton's settlement was established, the grant to the Pacific and Texas Railroad Company was made. A map showing a preliminary line, as it is called, was soon after filed in the General Land Office, and a withdrawal of lands for a distance of thirty miles on each side of this inchoate line was ordered for the benefit of the grant.

Upon the survey of the township embracing Bratton's settlement, which was in December, 1880, his land was found to be in an odd-numbered section within the limits of the withdrawal.

Immediately upon the filing of the township plat in the local land office Bratton appeared and made homestead entry of the land. A few months later he made final proof and received final certificate. The case was recently reached in the General Land Office, when Mr. Bratton's entry was declared illegal. It was admitted that his proofs were satisfactory, and it was held that if he had filed a pre-emption declaratory statement before he made the homestead entry he might the next moment have changed that filing to a homestead entry and thus have saved his land. But failure to do this was fatal. The land belonged to the railroad company. And this decision was rendered in the face of the following facts:

First. A controlling decision that the preliminary filing of the pre-emption declaratory statement was unnecessary.

Second. That Bratton's settlement antedated both the grant and the withdrawal.

Third. That the grant to the Texas and Pacific Railroad Company expressly excepted lands that were "occupied" at date of definite location.

Fourth. That there had never been any definite location of the line of this road.

Fifth. That no road had ever been constructed.

Sixth. That the time within which the road might have been legally located and constructed had expired, and there had been no renewal of the grant by Congress.

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Q. Can you give any idea of the extent of the operation of this thing upon the settlers?

A. From April, 1879, to August 1881, or a period of two years and a half, I suppose there must have been at least two or three hundred cases decided in that way, and perhaps very many hundred cases were so decided previous to the decision of the Supreme Court.

Q. These are cases where men who have made their improvements in good faith have been ousted from their property by the railroad companies without compensation?

A. Yes, sir; or by the Land Department for the benefit of the railroad companies.

Q. Has it been the custom of the railroad company, or those who obtain these improved lands by virtue of this construction of the law making grants to them, to compensate the ousted parties for their improvements?

A. I have never heard that railroad companies compensated settlers for their improvements on lands decided by the Department to belong to the railroads. There have been many classes of cases in which the railroad companies have obtained land in this way.

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The award of land to railroad companies when no claim has been made by the companies is an incident to the exceptional practice of the office in favor of railroads that does not exist in respect to any other class of grants. In the case of school-land grants, for example, the office acts upon the facts of record and the law applicable thereto in adjudicating settlement claims on the school sections, notifying the State of its decisions, when the State may appeal if it so desires. A contest between the State and settler is never assumed but must be instituted in fact if the State desires to contest. But in the case of railroad grants settlement claims are treated as contests.

The settler is required to especially notify the railroad company of his application to enter or to make proof. Notice by publication, which in all other cases of settlement proof is notice to the world, is not sufficient notice to a railroad. If the company does not appear, or does not in fact desire to contest, it makes no difference. It is regarded as a contestant in any event, and the strict rules governing contests is applied to the settler, who, I have reason to believe, in very many cases, even where the settlement claim would appear to be irrefutable, is driven by practices of the office and the terms and requirements of official letters, as well as by delays and appeals, into compounding with the railroad by purchasing from the company the land to which he has an apparent right under the law.

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The witness testified of land received in excess of grants:

The following are some examples of this character:

The Cedar Rapids and Missouri River Railroad is a completed road under the grants available for its construction. The total length of the road as certified by the governor of the State is 271.6 miles. The grant embraced the public lands within three alternate sections per mile on each side of the road, or, in other words, it comprehended six sections of land or so much of six sections as may have been liable to the grant for each mile of the road.

Leaving out of question all element which diminished the volume of the grant, it will be seen that 271.6 miles, multiplied by six sections per mile gives 1,629.6 sections, which at 640 acres per section makes a total of 1,042,944 acres as the extreme possible area that could physically have been embraced in the grant. The amount of land actually certified or patented under this grant to the present date is 1,141,690.70 acres, or an absolute excess of 103,490.77 acres over and above the greatest possible amount with which the company could be credited under any circumstances. And of this excess 1,197.24 acres were patented during the year ending June 30, 1881.

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A superficial estimate shows that the overlapping limits of conflicting roads alone di-

minished this grant by not less than 25 per cent., and therefore that the excess of lands thus conveyed by the United States in this case over the amount entitled to be received is upward of 300,000 acres. If an accurate adjustment should ever be made I think the actual excess would be found much greater.

The Sioux City and St. Paul Railroad Company of Iowa is credited with fifty-six and one-sixth miles of constructed road. The grant was for ten sections per mile, or a nominal total of 359,520 acres without taking into account the exceptions and deductions incident to the grant.

The amount of land actually certified or patented to the State under this grant is 407,910.21 acres, or a known excess over the possibilities of the grant of 48,390.21 acres.

It is estimated that the volume of the grant was diminished not less than 37,000 acres, possibly not less than 100,000 acres, more by reason alone of overlapping grants.

The Saint Paul and Sioux City Railroad Company of Minnesota is credited in the Land Office reports with a total granted area of 1,010,000 acres, reduced by partial estimates for necessary reductions to 850,000 acres. Amount patented or certified, 1,200,358 acres, or a known excess over possible maximum of 190,358 acres, and a known excess over a liberal estimate to the road of 350,358 acres, of which 33,218.91 acres have been patented since 1875.

The total computed area of the grant for the first division of the Saint Paul and Pacific Railroad in Minnesota is 1,248,638.95 acres. Total amount certified or patented, 1,251,046.14 acres, or an excess over all of 2,407.27 acres; 2,597.26 acres were patented in 1880. The legal and actual reductions to which this grant is subject do not appear ever to have been considered.

In the same manner and under similar conditions the Iowa Falls and Sioux City Railroad Company in Iowa is credited with a total nominal area of 1,226,163.15 acres. Amount certified or patented, 1,252,025.41, or an excess over all, not computing reductions, of 25,861.36 acres; 100,929.70 acres have been patented to this company since 1875.

The Winona and Saint Peter Railroad Company is credited with a total nominal area of 1,410,000 acres. Estimated area actually inuring to the grant 710,000 acres. The amount of land certified or patented up to June 30, 1881, on account of this grant was 1,668,007 acres, or an excess over the amount of land included within the geographical limits of the grant of 258,007 acres, and an excess over the estimated amount the road would be likely to receive of 958,007 acres, 292.852 acres were patented to this company in 1879.

Q. Does any thing else occur to you to state in connection with the subject of railroads?

A. In all the classes of cases I have mentioned where the roads have received actually or probably more than they were entitled to receive, as also where the roads have not been constructed or only in part, the lands remaining out of those originally reserved for the benefit of the grants, are still held in reservation. Settlements are excluded from these lands. Where the rights of prior settlers are denied by the rulings of the Department, or where applications to enter are made by new settlers, the parties are compelled to treat with the corporations for the possession of their old homes or the acquirements of new ones, although the legal rights of the corporations under the grants may have long since been satisfied, or have ceased by limitation.

Q. Will you mention some instances of this character?

A. The grant for the Gulf and Ship Island Railroad of Mississippi was made in 1856. It expired by limitation in 1866. There is no known corporation in existence. No road has been built and no lands applied for. But all the public lands of the United States within alternate sections, for a breadth of thirty miles on the line of the originally projected road and for a total length of one hundred and seventy miles, embracing whatever public lands there may be within a territorial area of 1,600,000 acres, were withdrawn from settlement and entry in 1860, and have ever since been held in reservation.

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There are a large number of other roads where lands have been held in reservation for periods ranging from ten to twenty-five years where the rights of the States or of the corporations have been satisfied, or forfeited, or extinguished, or where rates were never acquired under the granting acts.

The existing withdrawals for the Northern Pacific Company cover an area of from eighty to one hundred miles in with, over a line of unconstructed road thirteen hundred miles in length, a large proportion of which has not been definitely located. The original withdrawals for this road were made in 1870, 1871, 1872, and 1873. Later withdrawals have been made on changed lines of location.

The Atlantic and Pacific Railroad, with fourteen hundred miles of unconstructed road has, in addition to its withdrawal of a belt one hundred miles in width through the Territories of New Mexico and Arizona, a withdrawal of sixty miles in width along the line of the Southern Pacific coast in California.

The Southern Pacific Railroad Company has a like withdrawal overlapping the coast withdrawal for the Atlantic and Pacific road. The respective grants are computed as of the same date by departmental construction and although the lands embraced in one grant were excluded from the other by the terms of the granting act, no difficulty appears to be found in awarding to the Southern Pacific Company the lands embraced in the withdrawal for the Atlantic and Pacific. But an objection is found to the recognition of the rights of settlers on the same lands. Practically the withdrawal for one company is regarded as invalid as against the claim of another company, while it is held in full force and effect as against the settlers.

Lands within the limits of the withdrawals for both the Southern Pacific and Atlantic and Pacific across the State of California, aggregating one hundred and twenty miles in width, where no road has been built, and none is being constructed, are still retained in reservation. The withdrawals for the Southern Pacific were made in 1867 and 1871, and for the Atlantic and Pacific in 1872.

The California and Oregon and Oregon and California Railroads are not completed. The grant was to be null and void upon failure to complete construction as required by law, and all lands then unpatented were to revert to the United States. The grants have expired, but the withdrawn lands remain in reservation. Original withdrawals from 1867 to 1871.

The grant for the New Orleans, Baton Rouge and Vicksburgh Railroad was made in 1871. Expired by limitation in 1876. No road ever constructed under this grant. Line of road not definitely located. Total length of proposed road three hundred miles. Lands withdrawn in 1871-'73 on a preliminary line and still retained in reservation.

The Texas and Pacific Railroad grant is similar situated; no road constructed; line not definitely located; lands withdrawn in 1871 from El. Paso, in Texas, to Pacific Ocean, sixty-miles in width, and still in reservation. I give the foregoing as examples and not as a complete list.

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Q. How is it in respect to the great lines of railroad running across the continent—the United and Central Pacific, the Northern Pacific, Southern Pacific, and other Pacific railroads?

A The railroads that received subsidies in bonds, such as those embraced in the Union and Central Pacific systems, and where the roads are completed and the lands, earned by construction have not generally applied for or received the quantity of land to which they are entitled. Much complaint is made on this account. Some years ago Congress passed an act requiring all railroad companies to pay the cost of surveying and conveyancing, before patents should be issued. The complaint is that advantage is taken of this act to let the legal title remain in the United States until the lands are sold and fully paid for, the companies thus avoiding the payment of State and county taxes on all the land to which their right to receive the legal title has been acquired, and by a mortgage sustained by the Supreme Court as in the nature of a disposal they avoid the provisions of the granting act requiring the lands to be sold to settlers after three years from construction at $1.25 per acre and at the same time actually sell the lands at the corporation price and receive interests on deferred payments, and in some cases lease the land and receive the rent.

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Q. Does any thing else occur to you to state in connection with the subject of railroads?

A. In all the classes of cases I have mentioned where the roads have received actually or probably more than they were entitled to receive, as also where the roads have not been constructed or only in part, the lands remaining out of those originally reserved for the benefit of the grants are still held in reservation. Settlements are excluded from these lands. Where the rights of prior settlers are denied by the rulings of the Department, or where applications to enter are made by new settlers, the parties are compelled to treat with the corporations for the possession of their old homes or the acquirement of new ones, although the legal rights of the corporations under the grants may have long since been satisfied or have ceased by limitation.

The grant for the Saint Louis and Iron Mountain Railroad of Missouri was made in 1866; expired in 1871. Road not built under the grant, but grant abandoned by company for a different location. Lands still in reservation, and so held since 1870, for 20 miles on each side of the originally proposed line.

The grant for the North Louisiana and Texas Railroad expired in 1866. No road officially reported; 94 miles reported unofficially; 353,211 acres of land certified or patented in advance of construction, or over 300,000 acres more than would have accrued for length of road actually built. Lands withdrawn in 1857 along a line 160 miles in length; 12 miles in width being within granted and 18 miles in width in idemnity limits. Remaining lands still held in reservation.

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There are a large number of other roads where lands have been held in reservation for periods ranging from ten to twenty-five years, where the rights of the States or of the corporations have been satisfied or forfeited or extinguished, or where rights were never acquired under the granting acts.

The existing withdrawals for the Northern Pacific Company cover an area of from eighty to one hundred miles in width over a line of unconstructed road 1,300 miles in length, a large portion of which has not been definitely located. The original withdrawals for this road were made in 1870, 1871, 1872, and 1773. Later withdrawals have been made on changed lines of location.

The Atlantic and Pacific Railroad, with fourteen hundred miles of unconstructed road, has, in addition to its withdrawal of a belt of one hundred miles in width through the Territories of New Mexico and Arizona, a withdrawal of sixty miles in width along the line of the Southern Pacific coast in California. The Southern Pacific Railroad Company has a like withdrawal overlapping the coast withdrawal for the Atlantic and Pacific Road. The respective grants are computed as of the same date by departmental construction, and although the lands embraced in one grant were excluded from the other by the terms of the granting act, no difficulty appears to be found in awarding to the Southern Pacific Company the lands embraced in the withdrawal for the Atlantic and Pacific.

But an objection is found to the recognition of the rights of settlers on the same lands. Practically the withdrawal for one company is regarded as invalid as against the claim of another company, while it is held in full force and effect as against the settlers. Lands within the limits of the withdrawals for both the Southern Pacific and Atlantic and Pacific across the State of California, aggregating one hundred and twenty miles in width, where no road has been built and none is being constructed, are still retained in reservation. The withdrawals for the Southern Pacific were made in 1867 and 1871 and for the Atlantic and Pacific in 1872.

The California and Oregon and Oregon and California Railroads are not completed. The grant was to be null and void upon failure to complete construction as required by law, and all lands then unpatented were to revert to the United States. The grants have expired, but the withdrawal lands remain in reservation. Original withdrawals from 1867 to 1871.

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A withdrawal of lands was made in 1862 for the Leavenworth, Pawnee and Western Railroad Company of Kansas.

A provision of the granting act (12 Stat., p. 493, sec. 12) required an acceptance of the act by the company, under seal, to be filed in the Interior Department. This must have been done before the act could become operative. It was a condition precedent to the taking effect of the act. It was not done. A map of location was also to be filed. An old Territorial map, with pencil lines drawn through it, was deposited before any survey of the line had been made or other act performed to indicate an actual and responsible selection of the line of route. Under this state of facts the withdrawal mentioned was made. Nothing more was ever done by this company, which constructed no road, and did not definitely locate any line, and whose actual corporate existence is a matter of some doubt. In 1866 (14 Stat., 79) the Union Pacific Railroad Company, eastern division, which had been authorized to construct this road, was required to designate the general route of the road and to file a map within a certain date.

The company did so, and a new withdrawal of lands was made under the act of 1866. Then all questions affecting the status of the lands inuring to the grant were settled, not on the basis of the proper designation of the line of route under the act of 1866, and the definitive withdrawal made under that act, but on the basis of the premature and irregular withdrawal of 1862 made on a line that never existed, and under an act that did not go into effect. The claims of all settlers who settled between 1862 and 1866 on lands withdrawn in 1862, where the lands afterward fell within the withdrawal of 1866; were rejected in favor of the company, whose rights were not acquired until 1866. Meanwhile, lands in the alternate even-numbered sections, within the limits of the old withdrawal, were held to have been increased in price to $2.50 per acre, and were disposed of accordingly. These proceedings affected and determined the titles and price of lands for a breadth of forty miles across the entire length of the State of Kansas.

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A former Attorney-General had said that where there was doubt then certainty existed, since what was doubtful was not granted. The modern rule appears to be that where there is doubt then certainty exists, because what is doubtful is granted. The difference in the two rules as applied to the allowance of indemnity for losses occurring before grant is a difference of more than half the volume of the grants to States and of a considerable percentage of the volume of the grants to corporations, the grants being thus constructively enlarged to this extent beyond the Congressional limit. It is, besides, a difference of one or two hundred million dollars to settlers who buy these lands of the railroad companies. If the rule of the Supreme Court were followed by the Department, more than four-fifths of all the railroad and similar grants could at once be closed up, the remaining lands restored to settlement, and the titles to any unsold lands heretofore improvidently conveyed to the railroads in excess of the legal volume of their actual grants be recovered by the United States.

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Under the statutory provision requiring a map of definite location to be filed before any lands could be reserved the rights of settlers who settled before such map was filed, and in default of the filing of the map, before actual selection of the land for the company after the construction of the road, were protected in their settlements. Under the rulings of this office these rights were not recognized, but the lands and improvements of such settlers were decreed to the railroad. These proceedings went on until the lands taken from the settlers had aided in swelling the grant far beyond its maximum limits. Cases of this kind have been decided in this manner down to the present time, and others are still pending.

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Q. Where lands are awarded to railroad companies in the way you have mentioned in your testimony do the companies receive money from the settlers for the sake of quieting the settlers' title?

A. Yes, sir; I have heard of settlers paying as much as $50 an acre for land awarded to the railroads in this way.

Q. Have the laws generally been literally construed in favor of the railroads?

A. Yes, sir. The principle of law applicable to public grants—that they ought to be construed strictly against the grantees—has not been observed, although the exceptions to the grant are very strictly ruled against,

Q. That is to say, that the grants have been construed very liberally to the grantee and against the settler?

A. Yes, sir.

"Whoever will carefully read even these brief extracts I have made from the voluminous testimony of this thoroughly informed gentleman, whose long connection with the General Land Office has made him the master of the subject, will see how feeble the citizen seeking a home on the public land, even now, is in a contest with one of these corporations. He asks but a quarter section of land to fertilize and beautify by his labor, a shelter and a fireside for his wife and children, but corporate power with its ill-gotten millions of the public lands hedges him in on every side. He moves with uncertainty, if by any interpretation that power can force upon law, can deprive him of his homestead and the fruit of his labor he is certain to meet it when after five years of toil he demands his patent under the homestead law. In giving the foregoing extracts I have not followed the course of the evidence, but have selected passages from the different subjects considered.

"So, sir, under this system the citizen is at the mercy of the corporation.

"Even a patent is no protection. We are told in the testimony of this accomplished witness that patents for land in Iowa at the demand of a land grant corporation have been called in and canceled. Who that saw a few years ago a venerable citizen of that State almost deprived of his reason by the injustice he had suffered in common with hundreds of others of his fellow-citizens of that State, holding in his trembling hand a patent for a homestead, issued to him under the great seal of the nation, and demanding that you make good the patent for the land from which he had been driven by one of your favored land-grant corporations, the Desmoines Valley Railroad Company, and did not deep down in his heart curse this infamous system? The lands which the Government had actually patented to this old man and his neighbors, fertilized by their labor, was literally stolen from them under a shameless act of Congress for the benefit of a land-grant corporation, and to this day you have made no redress for the flagrant wrong.

"And so, Mr. Chairman, even at this early day the fruits of this land-grant railroad system begin to ripen in all their bitterness. Citizens, after years of labor on their homesteads under the shelter of your homestead laws, driven out of once cheerful homes and from fields fertilized by the sweat of their patient labor; soldiers who upheld the banner of the Union on many a field of death, by craft and subtlety deprived of their rights in the public domain; millions of acres of fertile lands, by facile, adroit decisions, secured to these corporations, even in excess of their grants, at the expense of *bona fide* settlers—millions of acres of land by heartless monopoly placed forever beyond the reach of landless and laboring men, the entire public domain permeated in every direction by grants the lands locating which are full of subtle and disingenuous provisions framed for dishonest advantage, while the combined power of these corporations, with more than kingly wealth, with lands sufficient to form more than eight great States within their grasp, a munificent gift of Congress from the rightful inheritance of labor, is molding the policy which will secure obedience to their commands, while the unshorn fields which once invited the labor of the landless have written upon now them the accursed word, monopoly—not free lands for freemen, with the plow in the hands of the owner, but, landlords and tenants, great estates and shivering poverty. No man who feels as a man is wont to feel can contemplate the fruits of this system, its disingenuous methods, its corrupting practices, its arrogant and unblushing assertion of dishonest claims as against the just rights of the feeble, and the subserviency of official authority to its demands, without blushing for his country.

"And here, Mr. Chairman, we stand at the close of this prolonged session. Matters of trivial concern have occupied this great body. The greatest question before the American people cannot even obtain a hearing. Has the shadow of these great corporations fallen also upon this Capitol? Does the spirit that rendered these grants possible still stand in the way of abrogating them to the full extent of the right?

"But what other results could have been hoped for? The great party which organized these corporations and gave them the lands which belonged to the people have learned to lean upon them for support. A party whose main support is corporate power is not likely to speak in the interest of labor. If these forfeited lands are ever brought within the reach of the landless it will not be by the party which made these grants. If the people of this country wish to assert their rights against the domination of corporate power they must change the administration of their affairs. The continuance of the Republican party in the ascendancy means the ascendancy of powerful monopolies, and that this generation shall see the utter and complete exhaustion of the public lands, and with the public domain, sir, goes the last hope of labor and the strongest pillar on which this Republic exists.

"Sir, is there any parallel to this record? Thirty years ago, in the first gathering of its elements at Pittsburgh, the party in power resolved that the public lands should not be sold to individuals or granted to corporations, but should be held as a "sacred trust" to secure homes for "landless settlers."

"Twenty years ago the same party, on its first advent into power, passed the Homestead law and dedicated these public lands to the landless for free homes for freemen, yet within a period of fourteen years the same party gave to corporations 192,081,155.52 acres of these lands, authorized them to select the most

fertile of these lands almost without limit, and have so administered the laws making these grants that by artful interpretations these grants are so enlarged that the agricultural lands are almost exhausted, and in a very few years the monopoly of lands by great corporations will be complete.

"And now, when many of these corporations have, after repeated extension of the time for completing their railroads, finally forfeited a large portion of their grants, and only an act of Congress, the justice of which no man can question, is necessary to restore more than 96,000,000 of acres of these lands to the people, a territory larger than the great States of Ohio, Indiana, and Illinois combined, that act cannot be obtained. And more than that, in this House as organized even the poor privilege of considering the subject cannot be secured.

"And why were not these railroads completed within the time named in the respective grants? The answer is obvious. These corporations have waited until our evergrowing population, pouring in teeming multitudes westward and southwestward into the new States and Territories, have by their labor in countless fields developed the value of these great grants reserved from settlement and made them the foundation for the bonds which are to construct the roads. The time for the completion of the Northern Pacific road was twice extended before it forfeited its grant on the 4th day of July, 1879. The cost of constructing this road of 2,270 miles, as reported by the Auditor of Railroad Accounts, will be $75,000,000, and this corporation holds its land grant of 48,215,040 acres in the fairest portion of the great West—land enough to complete its imperial railroad estate and leave princely estates to the railroad kings besides!

"And yet in due course of time this road would have been built and paid for by the men who would have owned it, and the curse of land monopoly would not have been written on the face of these fair fields. It is said that the gentleman from Kentucky [Mr. KNOTT] and his associates the minority of the Judiciary Committee, will report in favor of restoring to the people the unearned and forfeited millions of this grant, but if they do they will get no hearing in this House.

"And so, sir, the party which passed the homestead law has not only granted to these corporations this vast body of the public lands, but has invested these corporations with such imperial powers that they defy your Government and hold these forfeited lands in defiance of the public will; and yet these lands, to the extent of more than 96,000,000 acres, in equity, justice, law, and common honesty, belong to the people of the United States.

"In this state of affairs is it at all surprising that a great public journal of the Pacific Coast should indignantly say that—

> There is nothing in the history of any civilized nation so monstrous, so stupid, so infamous as the legislation which has turned over these more than imperial gifts of land to the absolute ownership of a few bloodless, soulless, aspiring and brutal corporations. It is a direct bid for the establishment and perpetuation of a landed aristocracy in the United States as much more powerful than that of Ireland as France is larger than Belgium, and as much more able to defy the Government as an American Congress, restricted by a written Constitution, is less able to cope with such a combination as the British Parliament, which may make and mend the unwritten Constitution of the empire at its will. If Congress fails to restore this 83,674,478 acres of clearly forfeited land to the public domain, it will be guilty of a neglect of duty that must plant the seed and at some future day—not so far off, either—bear the fruits of a social and political revolution compared with which the late civil war was but a trifling episode.—*San Francisco Chronicle*, May 10, 1882.

"The San Francisco *Chronicle* puts the number of acres forfeited lower than I do, but I am confident my figures are not above the actual amount. This system is not only monopolizing the public land, organizing an intolerable landed aristocracy, robbing the laboring man who settles in good faith on the public lands of the fruits of his labor, fostering corporations which invade all departments of government and decide their own claims, but now, as a natural result, compel a resort to the public Treasury to remedy countless wrongs which their insatiable cupidity and extortions create. To illustrate this danger I call attention to Senate bill No. 1492, which has passed the Senate and now lies on the Speaker's table, ready for action. The Senate report states that on the 23d day of July, 1866, there were granted lands to the Denver and Saint Joseph Railroad Company in alternate sections to a width of twenty miles and indemnity lands. The company remained quiet from 1866 to March 28, 1870, and then filed a map of the location of their road. On the 15th of April, 1870, the Secretary of the In-

terior withdrew the lands from settlement for the twenty-miles width, but in the meantime and up to April 15, 1870, the country had rapidly filled with settlers, entries had been made and patents issued by the United States to the settlers. In the language of the report:

"The lands were sold and resold; pre-emptors, settlers, and owners improved the same, in many cases with valuable buildings, fences, and orchards, and paying taxes thereon, increasing the value in some cases to $20 and $25 per acre.

"And the first notice that these settlers had that the patents issued by the United States were no protection against a claim of a railroad company was the bringing of suits against them in the Federal court, promptly followed by a decision that the lands were embraced by the grant to the corporation, and the settlers were turned out of the possession of lands improved by ten years of their labor, and this bill and report propose that there shall be paid out of the public Treasury $2.50 per acre to each settler thus turned out of possession.

"If this Government shall attempt to remedy all of the injustice which this infamous system will inflict; if the Government shall make reparation for every act of robbery by the corporations it has organized and enriched, can any man tell how many millions annually will come from the public Treasury? And can any honorable man read even this brief narrative of one of the countless acts of fraud, dishonesty, and extortion constantly occurring under this system without a feeling of honest indignation?

"I admit that for the present there seems to be no remedy for the monstrous wrong that has been done, but the evil would be in some degree palliated by the exercise of the power which Congress unquestionably has of declaring the forfeiture of the vast body of land now within its reach

"Here are more than 96,000,000 acres of this land wrongfully withheld from the public domain, granted without consideration to a few corporations; these corporations hold these lands by the same questionable methods which secured them from Congress. The grants are now owned by a few men whose only method in affairs is the employment of wealth. There is no question of the right of Congress to declare the forfeiture of these lands to the extent of 96,000,000. This monstrous outrage on human rights can be remedied. These men will still hold and monopolize over 100,000,000 acres, but these 96,000,000 can be reclaimed rightfully without even a question as to the justice of the act; that much at least, wrested from the jaws of monopoly and dishonor, can be secured for free homes for free men.

"On the 16th day of January, 1882, I introduced House bill No. 2878, to declare these grants where the corporations failed within the time specified in the grants to fulfill the conditions forfeited and restoring the lands to the public domain; and on the 9th day of the same month I introduced House bill No. 2752, to secure the remaining public lands adapted to agriculture to actual settlers under the homestead laws. These bills were referred to the Committee on Public Lands. On the 6th day of February, 1882, my colleague [Mr. Cobb] introduced House bill No. 3606, to declare the forfeiture of these lands and restore them to the public domain. This bill was referred to the Judiciary Committee. Other bills have been introduced. More than six months have elapsed and the Committee on Public Lands is as silent as death on these vital measures. The majority of the Judiciary Committee report ambiguously, but apparently in favor of letting the Northern Pacific alone, and by implication reaffirming in part a grant long since dead in the State of Michigan. We are assured that the minority of that committee will assert the just claims of the people in unambignous terms.

"I know it is customary to quiet the fears of our people by referring to the large figures of our public lands in the Commissioner's report, but if you deduct the 369,529,600 acres of the ice fields in Alaska, the Rocky Mountains, and the Sierras, and the vast arid and sterile plains which skirt those mountains, all of which are embraced in the computation of the public lands, and deduct over 200,000,000 acres in all of land grants yet to be filled—deduct all these and see how the figures shrivel and how little is left.

"There are still in this House two members who were in the Congress which passed the homestead law and voted for its passage—the gentleman from New York, then from Ohio, [Mr. Cox,] and myself. My friend from New York and myself at least have stood by that law from the beginning. Not an acre has

been taken from the laboring men of this country by his vote or mine nor an acre given to a corporation. Every bill giving these vast millions to the favorites of Congress has at least met our earnest resistance.

"But the grants have been made, the public domain has been largely exhausted, and monopolizing corporations have been organized with imperial powers which defy the Government itself; motives and methods of corruption unknown until this policy was inaugurated threaten our free institutions; vast estates have been created by act of Congress, and the free outlet of labor from the power of capital is rapidly closing. The shadow of a new power rests upon this Capitol and the Departments. It may be that for the time the people of this country will not fully appreciate the injury done to their institutions, but sooner or later anathemas deep and bitter will fall from the lips of poverty and wretchedness on these measures, which under the perfidious mask of progress and developments will enrich the few but deprive multitudes of men and their wives and children of happy and prosperous homes."

MR. KNOTT'S MINORITY VIEW OF THE NORTHEN PACIFIC LAND GRANT.

The land grant of the Northern Pacific railroad being under consideration of the House Committee on the Judiciary, Mr. Knott, (Dem.,) of Kentucky, submitted in July last the following minority view of that question. It is full of useful information about the peculiar tactics of a Republican majority on the subject of a railway monopoly:

"On the 6th of June last the Committee on the Judiciary submitted to the House a report in relation to the land grant made to the Northern Pacific Railroad Company, asserting as a legal conclusion that 'the sole right which remains in the United States at the present time in respect to the lands granted to that company is the right, by its Congress, to do such act as may be needful and necessary to insure the speedy completion of the road,' and denying *in toto* the right of the Government to declare the lands forfeited, notwithstanding a breach of the conditions upon which the grant was made, and which are distinctly set out in section 8 of the act from which the company derived its existence and its chartered rights.

"From this remarkable conclusion seven out of the fifteen members of the committee dissented, and as the majority deemed it incompatible with their opinion of the law as thus expressed to recommend any action, or even to enter upon an examination of the facts in relation to the grant which had been made to this company, the undersigned prepared a brief statement of their views, dedueed from the only data at their command, namely, the report of the Auditor of Railroad Accounts, made in response to a resolution of the House of Representatives and published with the last annual report of the Secretary of the Interior, from which it seemed that, waiving the Government's rights of forfeiture thus far, the probable value of the lands which the company had earned by construction up to the first of January last would considerably exceed the cost of the entire line for which the subsidy had been granted, and in view of which they recommended the forfeiture of all lands remaining unearned at that date.

"After this had been done, the committee, for the better enlightenment of the minority, who had dissented from its views, caused a series of interrogatories to be propounded to the president of the company, whose answers thereto, together with certain suggestions which had not been called for, were read to the committee on the 6th and submitted to the several members in print on the 9th instant. It is to be regretted, however, that notwithstanding this effort to procure them additional light, the members of the minority, to say nothing of the world at large, have been furnished with very little more information than they had before, while the answers themselves exhibit discrepances with other statements in relation to the same subject which it will be found difficult if not impossible to completely reconcile.

"For example: the president of the company, in response to the inquiries proposed by the committee, states the cost of constructing 1,203½ miles of competed road and 170 miles of finished grade at $51,019,402.99, and estimates the cost of constructing 1,206 miles yet to be built at $42,507,265.87, making $93,526,668.86

for 2,409½ miles, or $38,815.79 per mile; while the Auditor, in the report above referred to, after having, as he says, 'made special inquiry in order to obtain the fullest information,' and, as the undersigned understand, from data furnished by the company itself, estimates the entire cost of 2,700 miles at about $75,000,000, or at the rate of $28,000 per mile. After some remarks concerning the work which had already been done, he says:

The road yet to be constructed and accepted may be stated as follows, with the estimated cost of the same, namely:

Wisconsin division—Montreal River to Thompson Junction, 122 miles, at $20,000 per mile	$3,440,000
Missouri division—Missouri River to Yellowstone River, 217 miles, at $12,000 per mile, including an iron bridge over the Missouri River at Bismarck, the cost of which is estimated at nearly $1,000,000, or about	$3,500,000
Yellowstone, Rocky Mountain, and Clark's Ford division—Yellowstone River to Lake Pen d'Oreille, 820 miles, at $30,000 per mile	24,600,000
Pend d'Oreille division—Lake Pend d'Oreille to Columbia River, 209 miles, at $21,500 per mile	4,500,000
Columbia River division—Junction of Columbia and Snake Rivers to Portland, 238 miles, at $31,500 per mile	7,500,000
Cascade Mountain division—Junction of Columbia and Snake Rivers to Puget Sound, 219 miles, at $30,000 per mile	6,570,000
Pacific division—Portland to Kalama, 40 miles, at $25,000 per mile	1.000,000
Total road to be constructed, 1,865 miles, at an estimated average cost of $26,868 per mile, amounting to	50,110,000

The entire road when completed, 2,700 miles, will have cost about seventy-five million dollars, or at the rate of $28,000 per mile. (Report Secretary of the Interior, Vol. II, p. 575.)

"Notwithstanding that due allowance is made by the Auditor for the million dollar bridge over the Mississippi River, as well as for those portions of the road of more difficult construction, it will be observed that the discrepancy between these two estimates is $10,815 per mile, or $26,048,732 for the whole line of 2,409½ miles. Which is nearer correct may possibly be ascertained by a little closer analysis.

"In 1874 the company, in its report to the Department of the Interior, made an itemized statement of the amounts it had expended up to that date in surveys, construction, equipment, &c., in which it appears that the actual construction of 530 miles of the road then built had cost $14,446,356.54, and that the 'general and incidental expenses during construction' had been $635,454.71, making a total of $15,081,811.25, or $28,456.24 per mile; and this, it will be remembered, was prior to the crash which took place in the fall of 1873, when labor and material commanded higher prices than they have since. But deduct this $15,081,811,25 from the $51,019,402.99 which the president of the company reports as the total amount expended in the construction of 1,203½ miles of completed and 170 miles of graded road, and there will remain $35,937,591.74, from which deduct, say, $2,550,000 probable cost of grading the 170 miles, and there will be left $33,377,591.74 as the cost of the remaining 673½ miles, or $49,558,41 per mile! By referring to the report it will be seen that the total amount expended up to the completion of the first 530 miles was only $21,353,416, or $40,289 per mile, including $1,108,278.05 for surveys (!), $2,728,980.09 for 'auxiliary and connecting rail and water lines,' $2,434,346,25 for equipment, and $635,454.71 for 'general and incidental expenses during construction,' whatever that may mean. Yet, if the president's estimate is correct, the simple *construction* of the 673½ miles which have been completed since has cost $9,000 more, mile for mile, and that, too, under far more favorable circumstances, so far as the prices of labor and material are concerned. Why this should be so the company has failed to explain, and perhaps cannot explain. Assuming, however, that 'the truth lies between the two extremes,' the cost would be $33,407.65 per mile—$80,585,732.75 for the whole line of 2,409½ miles.

"To aid in the construction of this road Congress granted to the company, on certain conditions, 57,920,000 acres of land, of which the Auditor in the report already referred to says, according to the latest estimates, 42,500,000 will be available to the company; and the president, in his answer to the committee, remarks with seemingly some surprise that 'the discovery has been made during the present session of Congress that the value of the grant, as a whole, is in the neigborhood of a hundred millions of dollars.'

"In this, however, the president is mistaken. Whether the value of the grant was ever considered chimerical the undersigned do not know, but the fact that it is worth a hundred million dollars or more was discovered long ago. The Auditor reports that the company has sold, up to June 30, 1880, 2,600,000 acres for $9,000,000, and adds: 'The value of the company's lands vested and unvested may be reasonably estimated at $2.50 per acre, so that the lands unsold are worth, say, 39,500,000 at $2.50, $99,750,000.' Which would be $108,750,000 for the whole.

"That portions of this enormous grant are worthless for any purpose will not be denied, and it is also admitted that its real value will be available to the company only in the future, but whatever attempts may be made to disparage it, the estimate of the Auditor quoted above is probably lower than the facts would actually justify.

"The company has only offered its agricultural lands for sale, withholding its coal and timber lands until the country shall be occupied. Yet, the answers of the president discloses the fact that 3,083,953 acres have been sold for $11,565,466.65, or at an average price of more than $3.75 per acre, and that it is not at all improbable that much of the grant now considered worthless may prove to be extremely valuable. The president says: 'It is a matter of record that those in charge of the management previous to 1873 had no idea that the extraordinarily fertile lands in Dakota, which now form the granary, so to speak, of the Northwest, were other than sterile plains,' and the same will doubtless prove true of large portions of the grant yet to be developed.

"Some idea of character of the lands embraced by this grant may be gathered from the following remarks, to be found in the report of Mr. A. B. Nichols, engineer, made to the Auditor of Railroad Accounts, November 1, 1880:

"From the commencement of the company's grant at the western edge of the grant to the Saint Paul and Duluth Railroad Company to about 40 miles west of Brainerd the country is a succession of swamps and low uplands, interspersed with numerous lakes. The swamps are mostly covered with a growth of tamarack, cedar, and spruce, while on the uplands are found white pine, oak, some elm, and various other kinds of wood usual in a forest in the Northern United States.

"From about 40 miles west of Brainerd to about 35 miles east of Fargo the country is prairie, with numerous lakes, patches of swamp, and occasional timber, and much of it good for agricultural purposes. From this latter point westward to the Missouri River stretches the great wheat region, embracing the celebrated valley of the Red River of the North.

"This country is rapidly filling up with settlers, apparently of a good class, the neat, well-painted farm buildings, so noticeable in this region, bearing witness thereto.

"West of the Missouri River, on the portion of road recently accepted by the government and opened for use, the country is as yet almost uninhabited, and but little of the land surveyed. This region is all open "plain" country, somewhat more broken and undulating than that between the Red and Missouri Rivers, but the greater portion of it is apparently good wheat land, and will, doubtless, produce good crops, though not, perhaps, so large as in the Red River Valley. Extensive beds of lignite are found on this portion of the road, and extend much farther west, furnishing a fuel available for all domestic purposes. The company are now using this fuel in their locomotives, mixed in equal quantities with other coal.

"On the Pacific division the line from Kalama to Tacoma passes through a well-watered, timbered country, with occasional open prairies. These prairies do not appear to be very rich, but there are, doubtless, lands in the river bottoms good for farming purposes.

"The magnificent timber embraced in the company's grant on this coast must become valuable as soon as communication is opened with the treeless district east of the mountains. At present, as shipments are chiefly made by sea, only those lands bordering on the sound are available.

"The large beds of cretaceous coal lying within the grant must also prove valuable. During the late inspection the mines at Wilkeson were visited. Owing to an improper system of mining, these mines have not hitherto been successful. The coal lies in large veins, with a dip of about 65°, with a ravine through which the stream runs, cutting across the strata, so that every natural facility is afforded for economical working. Some of the veins are said to produce good smith coal, while the coke made from coal mined here (specimens of which were brought away) appears to be of excellent quality.

"On the Pend d'Oreille division, after leaving Ainsworth, the line passes through about 24 miles of open, sandy country, and then enters a treeless, rolling region, with soil of volcanic ash, and covered with a growth of "bunch grass." This continues as far as my journey reached—is said to extend to Spokane Falls—and constitutes a portion of the great wheat country of Eastern Washington Territory.

"From the foregoing it is by no means difficult to conclude that the coal and timber lands belonging to this grant are, under the peculiar circumstances, immensely more valuable than those adapted to agricultural purposes only; and that, where one acre of the latter may be found to be worth less than $3.70, the

price realized by the company for that already sold, several of the former will be found of many times that value. It is not unreasonable, therefore, to suppose that, conceding 30 per cent. of the entire area to be worthless, the ultimate value of the remainder will be sufficient to yield an average price of at least $3 per acre for the entire grant.

"Proceeding, then, upon the hypothesis that the data upon which the Auditor of Railroad Accounts made the report above referred to were correct, and that the entire grant shall be confirmed, the result will be as follows:

Value of land grant	$108,750,000
Cost of 2,409½ miles of road, at $28,000	67,466,000
Surplus	41,284,000

"Or, adopting the extravagant estimates submitted by the president in his response to the committee, the figures will stand thus:

Value of land sold	$11,565,466 65
The residue, 39,416,047 acres, at $2.50	98,540,117 50
	110,105,584 15
Cost of 2,409½ miles of road	93,526,668 86
Surplus	16,578,915 29

"Or, taking the mean between the two, the following will result:

Value of lands sold and unsold, estimated as last above	$110,105,584 15
Cost of 2,409½ miles of road, at $33,407.65	80,495,732 75
Surplus	29,609,851 40

"The undersigned suppose that all that could be asked of the government in the exercise of the most prodigal generosity would be a sufficient amount of lands to enable the company to construct its road without costing it a single dollar of its own money, and as either of the foregoing hypothesis shows a surplus of many millions more than are necessary for that purpose, it has occurred to them that it might be to the interest of the people of the United States generally to look somewhat after that surplus, whatever it may be.

"There is a further view to be taken of this subject, however. The undersigned have no means of knowing precisely how much land has been *earned* by the company, but estimating it at 30,000,000 acres, and appraising the portion unsold at $2.50 per acre, which the Auditor supposes to be reasonable, and we have the following:

3,083,953 acres sold for	$11,565,466 65
26,916,047 acres unsold, at $2.50	67,290,117 50
Total	78,855,584 15

"Or $3,854,584 more than the Auditor's estimate of the entire cost of the company's lines, subsidized and unsubsidized. But when applied to the line as constructed and to be constructed, namely, 2,409½ miles, the result stands as follows:

Value of lands already earned	$78,855,584 15
Cost of 2,409½ miles, at $28,000	67,466,000 15
Surplus	11,389,584 15

"Or, assuming the mean between the estimates of the Auditor and the president of the company, and also the mean between the average price of the lands already sold and the Auditor's estimate of $2.50 per acre, the following will be the result:

Proceeds of lands already sold	$11,565,466 65
26,919,947 acres unsold, at $3,12½	84,100,146 87
Total	95,665,613 52
Cost 2,409½ miles road, at $33,407.65	80,495,732 75
Surplus	15,169,880 77

"Or, applying this estimate of the value of the lands earned to the estimated cost of the entire road, as submitted by the president of the company, the figures stand thus:

Value of lands earned as above	$95,665,613 52
Estimated cost of entire road	93,526,668 86
Surplus	2,138,944 66

"It is reasonable, therefore, to conclude that this company has already received, and will receive, if only so much land as it has 'earned by construction,' say to January 1, 1882, shall be patented to it, an amount sufficient to pay for the construction of its entire subsidized line, even upon the estimates furnished by its own chief officer. But in addition to the foregoing considerations the undersigned beg leave to submit, that when the various acts making grants of land to aid in the construction of railroads were passed by Congress, it was the settled belief of those by whom the grants were made that unless the roads were constructed within the times limited in these acts no right to the lands would pass.

"This is abundantly shown by the contempotaneous debates; and it requires judicial legislation to establish the doctrine that affirmative action by Congress was necessary to revest the United States with the title to the portions of the public domain thus conditionally granted.

"Legally, all unpatented lands embraced in this grant belong to the United States, freed from all claims of the company, if Congress shall choose to assert that right, and under the rule asserted by the committee in the Ontonagon and Brulé River Railroad case, the undersigned think such action should be taken. While the company may assert equities, it is but one party to the controversy! The people are the other, and their interests are certainly entitled to *some* consideration.

"As the law is construed by the Department of Justice and acted upon by the Department of the Interior, in which, however the undersigned do not concur, unless and until Congress takes some contrary action, the company is entitled to patents for the lands conditionally granted as earned; consequently, declining or neglecting to assert the right of forfeiture is equivalent to making a new grant. This the undersigned are opposed to, and they believe the people are opposed to it. If the proposition were presented of making a new grant of these lands, such as is now claimed by the company, they think it would be almost unanimously rejected by public sentiment.

"It may be set down as a certainty not only that this road will be completed by some company without the aid of lands unearned by construction, but that it will be worth all it may cost, and there are no good reasons yet apparent why the people should pay the cost of its construction and present the company with a collossal fortune besides. They will certainly profit nothing by the additional millions donated, as experience shows that every road which has been subsidized has, after completion, been operated upon the principle that freight and passengers should be taxed just 'what the traffic will bear,' and there is no reason to believe that there will be an exception in this instance. So far as they are concerned, therefore, it is simply a question whether the residue of this empire of territory shall be abandoned as a mere act of grace to the company, and a precedent be set for similar action as to other grants which are in like condition as to compliance with the conditions upon which they were made.

"Asserting the right of forfeiture is no attack upon any right of the corporation; it is a mere incident to the contract. The lands are the property of the United States, and the undersigned believe that sound policy, as well as the demands of the people, require that the remainder of this vast grant, unpatented to

this date, should be restored to the public domain for occupation by actual settlers under existing laws.

In view of these considerations, the undersigned think it due alike to the House and the country that the subject of this land grant should be fully explored and fairly discussed, and that Congress should take such prompt and decisive action in relation thereto as will do justice to the people as well as to the company. They therefore ask that the accompanying joint resolution be placed upon the Calendar, and recommend its adoption ; and in view of the fact that many millions of the most valuable lands, forfeited by non-compliance with the conditions upon which they were granted, are liable, notwithstanding such forfeiture, to slip away from the people forever, simply by reason of non-action and delay, the undersigned would respectfully urge the consideration and passage of said resolution during the present session of Congress.

J. PROCTOR KNOTT,
DAVID B. CULBERSON,
R. W. TOWNSHEND,
VAN H. MANNING.

JULY 11, 1882.

I have not verified the figures above, but indorse the final conclusions and recommendations.

L. E. PAYSON.

I have not sufficient time now to examine the facts connected with this matter; but, that it may come before the House and be considered by this Congress, I concur in wishing the resolution to be put upon the Calendar.

N. J. HAMMOND.

JULY 21, 1882.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled as follows, That all the lands granted to the Northern Pacific Railroad Company under an act of Congress entitled "An act granting lands to aid in the construction of a railroad and telegraph line from Lake Superior to Puget Sound, on the Pacific coast, by the northern route," approved July 2, 1864, which had not been patented to said company on the 1st day of July, 1882, be, and they are hereby, declared forfeited to the United States by reason of a breach of the conditions upon which said grant was made, and that said lands are hereby restored to the public domain and made subject to sale and settlement under existing laws.

The action of the Republican House when this minority view was presented is also instructive reading, and shows how useless it is to expect that party to help relieve the people from the grasping policy of great railway corporations.

On the 24th of July, 1882, Mr. KNOTT addressed the Chair as follows:

"Mr. KNOTT. My colleague on the Judiciary, the gentleman from Illinois, [Mr. PAYSON,] desires to present certain views of the minority which the House authorized us to present at any time. I rise for the purpose of asking that these views may now be laid before the House.

"The SPEAKER. The gentleman from Illinois [Mr. PAYSON] is recognized.

"Mr. PAYSON. I submit a report of a minority of the Committee on the Judiciary in connection with House bill No. 6390 and to accompany House report No. 1284.

"The SPEAKER. The report of the committee, as the Chair recollects, was laid on the table and ordered to be printed. This will also be ordered to be printed

Mr. KNOTT. I offer some additional views on the part of myself and several of my colleagues on the committee, which I now present, accompanied by a joint resolution. which I ask shall be placed on the Calendar.

"Mr. VAN VOORHIS. Let the joint resolution be read.

"Mr. KNOTT. I hope there will be no objection to this joint resolution going upon the Calendar, although we may not have any action upon it during this session.

"Mr. ALDRICH. I reserve the right to object.

"The SPEAKER. As the Chair understands the statement of the gentleman

from Kentucky, this is not a report, but is simply the views of the minority of the committee. It can then only be printed and take the same course as the report.

"Mr. KNOTT. I wish to ask if that report should not be upon the Calendar?

"The SPEAKER. That is a matter the Chair did not direct. The House directed it to be sent to the table by unanimous consent, and that is now disposed of. What the gentlemen from Illinois and from Kentucky now present are the views of the minority.

"Mr. KNOTT. Accompanied with a joint resolution which I think this House would like to consider and discuss. I therefore ask it shall have the opportunity to do so, and that it may go upon the Calendar for that purpose.

"Mr. TOWNSHEND, of Illinois. Let the joint resolution be read.

"The SPEAKER. The joint resolution may be read.

"The joint resolution was read, as follows:

"*Resolved by the Senate and House of Representatives in Congress assembled*, That all the lands granted to the Northern Pacific Railroad Company, under an act of Congress entitled 'An act granting lands to aid in the construction of a railroad and telegraph line from Lake Superior to Puget Sound on the Pacific coast by the northern route,' approved July 2, 1864, which had not been patented to said company on the 1st day of July, 1882, be, and they are hereby, declared forfeited to the United States by reason of a breach of the conditions upon which said grant was made, and that said lands are hereby restored to the public domain and made subject to sale and settlement under existing law."

"The SPEAKER. In the absence of objection, the report will be printed.

"Mr. KNOTT. I ask unanimous consent that the resolution go upon the Calendar with the report of the committee.

"Mr. CASWELL. I object to that.

"Mr. KNOTT. Who objects? Let us have the name on record of the gentleman who objects to considering this proposition.

"Mr. TOWNSHEND, of Illinois. Who objects?

"Mr. CASWELL. I object.

"The SPEAKER. There is no question about the practice as to the views of the minority. It has been the custom to receive them and print them with the report of the majority.

"Mr. TOWNSHEND, of Illinois. I rise to a question of order.

"The SPEAKER. The gentleman will state it.

"Mr. TOWNSHEND, of Illinois. My point of order is this: That it is the right of the committee or a member of the committee to move that this joint resolution be placed on the Calendar; and I make that motion.

"Mr. COX, of New York. In reference to that point of order——

"The SPEAKER. The Chair can hear only one gentleman at a time on a point of order.

"Mr. COX, of New York. And there is only one speaking when I am up.

"The SPEAKER. The gentleman from Illinois [Mr. TOWNSHEND] has the floor.

"Mr. TOWNSHEND, of Illinois. I submit the motion that this joint resolution be placed on the Calendar.

"Mr. CASWELL. And I make the point that that motion is not in order.

"Mr. TOWNSHEND, of Illinois. I will withdraw the motion, and yield to the gentleman from Kentucky [Mr. KNOTT] to make it.

"Mr. KNOTT. I make the motion.

"The SPEAKER. The Chair will be very glad to have the gentleman from Kentucky [Mr. KNOTT] state any rule which authorizes the views of the minority of a committee to go upon the Calendar as a report; that is entirely a new practice.

"Mr. KNOTT. There are certain facts in this case——

"Mr. CASWELL. I object to the discussion of this question; there are facts on the other side also.

"Mr. KNOTT. There were sundry bills referred to the Committee on the Judiciary touching these land grants. That committee made a report to the House in which it recommends no action at all. A minority of the committee, seven out of fifteen members, dissent from the legal views of the majority and present certain facts showing the necessity of action by this Congress.

"The question now comes up, when the committee has made a report to the

House, whether the House is in such condition that it cannot consider that report, or consider any counter proposition that may be made by the minority of the committee. In a word, can a committee of this House, by giving its report a peculiar shape, preclude the possibility of the House considering the subject at all?

"The minority of the Committee on the Judiciary, dissenting from the views of the majority, which recommend simply total non-action, present a substantive proposition for the action of the House. Now, I think it is due to the House, I think it is due to the people of this country, who are interested equally with this railroad company in this land grant, that this House should have an opportunity to consider the question and to dispose of it, and that it should not be precluded at all by any peculiarity in the report of the majority of the committee.

"It does seem to me to be due to the members of this House that the question of this grant should go upon this Calendar, to be reached and discussed in order as other propositions there pending.

"Mr. CASWELL. I ask the Clerk to read the last paragraph on page 305 of the Manual. I am willing to be governed strictly by the rule.

"The SPEAKER. It will be read.

"The Clerk read as follows:

A minority of a committee cannot make a report. It has been the practice for many years to permit the minority of a committee (even of one member) to present their "views," which are appended to the report of the committee; but unanimous consent is required for this purpose. And in cases where an amendment or substitute is recommended by such minority for the bill or resolution reported, it has no parliamentary status until submitted in due form in the House when the subject is under consideration.

"Mr. TOWNSHEND, of Illinois. I desire to submit this in support of my motion. However, I will yield to the gentleman from New York [Mr. COX] if he desires to be heard.

"Mr. COX, of New York. One word as to the rule which has been read, and which I was about myself to have read, if it be a rule. When adverse reports are made we have a right to have them placed upon the Calendar.

"The SPEAKER. When they are reports.

"Mr. COX, of New York. In this case I understand that the House, by unanimous consent, gave to the minority of this committee the privilege of making a report.

"The SPEAKER. Objection was made.

"Mr. COX, of New York. I understand that the views of the minority—

"The SPEAKER. The gentleman from Wisconsin [Mr. CASWELL] objected.

"Mr. TOWNSHEND, of Illinois. The gentleman objected to the joint resolution being placed on the Calendar; not to the reception of the report.

"Mr. COX, of New York. When the report of the majority of the committee came in gentlemen asked the privilege to bring in a minority report

"Mr. TOWNSHEND, of Illinos. And it was granted at that time.

"Mr. COX, of New York. Which was then granted.

"Mr. POUND. The privilege was granted to bring in the views of the minority, not a report.

"Mr. COX, of New York. In ordinary parlance it is a report. Now, if the record shows that consent has been heretofore given for a minority report, or that the views of the minority might be brought in, then why should not a joint resolution appended to that minority report be brought in with it, and, in the absence of any affirmative action on the part of the majority, why may it not be placed on the Calendar like an adverse report if you please? The rule which the gentleman from Wisconsin [Mr. CASWELL] had read says:

And in cases where an amendment or substitute is recommended by such minority for the bill or resolution reported, it has no parliamentary status until submitted in due form in the House when the subject is under consideration.

"In this case there is no affirmative proposition, no bill, nothing reported here for the action of the House on the part of the majority of the committee. And the only thing on which the House can get any action on this most momentous question is the joint resolution accompanying the views of the minority of the committee.

"Unless on this question, of all questions, as I claim, the most important in

this Congress to-day, the forfeiture of these Pacific Railroad grants back to the Government—unless we can get a vote on that question, our committees are enabled to close all action by the House of Representatives by their manner of presenting reports. This is the only possible form, without a conflict with the rule read at the instance of my friend from Wisconsin, [Mr. CASWELL,] in which the House can give any expression of its will on this momentous question. Therefore, I wish my friend from Illinois, if possible, to press his point of order up to the point, if you please, to an appeal from the decision of the Chair, so that we may have some expression on this matter of land grants at this Congress.

"Mr. TOWNSHEND, of Illinois. In support of the motion I make I desire to say that there is in this Congress no question of greater importance than the one now presented.

"Mr. POUND. I rise to a point of order. I desire that the point of order shall be adhered to strictly in this discussion.

"The SPEAKER. The gentleman from Illinois can only be heard upon the question of reference and printing.

"Mr. TOWNSHEND, of Illinois. If my friend from Wisconsin [Mr. POUND] will possess his soul in patience for a few moments he will find that I am proceeding to discuss alone the point of order; but I regard it as not improper to make the remark that a resolution involving indirectly over 100,000,000 acres of land belonging to the Government is a proper subject for discussion and most careful investigation of the authorities on this point."

After further discussion on the point of order, it was decided by the Speaker as follows:

"The SPEAKER. The Chair does not hold the gentleman is out of order in presenting the views of the minority; but the Chair holds the gentleman from Kentucky did not present any report in the proper sense of the word.

"Mr. COX, of New York. I make my appeal from the ruling of the Chair, which I understand to be this: that the Chair rules out of order the motion made by the gentleman from Kentucky to refer this joint resolution to the Calendar. From that decision of the Chair I respectfully appeal.

"The SPEAKER. And the gentleman from Maine moves that the appeal be laid upon the table.

"Mr. HOLMAN. I call for the yeas and nays.

"Mr. CANNON. I wish to know whether the majority resolution accompanying the report of the majority of the committee is now on the Calendar.

"The SPEAKER. It is not.

"Mr. HAMMOND, of Georgia. That is the trouble. We want to get something on the Calendar.

"Mr. COX, of New York. And that is what they are dodging.

"The SPEAKER. The Chair understands if the report of the committee had been accompanied by a bill or joint resolution, and had gone to the Calendar, then this matter would have taken the same course. It would have been printed and would have accompanied the majority report. Wherever the majority report went, under the uniform practice the minority views must go also. The gentleman from Maine [Mr. REED] moves to lay upon the table the appeal taken by the gentleman from New York from the decision of the Chair.

"Mr. HOLMAN. And upon that I call for the yeas and nays.

"The yeas and nays were ordered.

Mr. KASSON. Is it in order now for me to ask to have a statement read from the Digest?

"The SPEAKER. The Chair thinks the question is not debatable now."

A vote was then taken which stood as follows:

YEAS—97.

Aldrich,	George,	Norcross,	Smith, J Hyatt, (Ind.)
Bayne,	Harris, Benj. W.	O.Neil,	Spaulding,
Bisbee,	HASELTINE,	Orth,	Spooner,
Briggs,	Haskell,	Parker,	Steele,
Browne,	Hazelton,	Peelle,	Stone,
Brumm,	Henderson,	Peirce,	Strait,
Buck,	Hill,	Pettibone,	Taylor.
Burrows, Julius C.	Hiscock,	Pound,	Townsend, Amos
Butterworth,	Horr,	Prescott,	Tyler,
Calkins,	Houk,	Ray,	Updegraff, J. T.
Campbell,	Jadwin,	Reed,	Valentine,
Candler,	JONES, GEORGE W.	Rice, William W.	Van Aernam,
Cannon,	Kasson,	Rich,	Van Horn,
Carpenter,	Kelley,	Richardson. D. P.	Van Voorhis,
Caswell,	Ketcham,	Ritchie,	Wadsworth,
Chace,	Lewis,	Robeson,	Wait,
Cutts,	Lord,	Robinson, Geo. D.	Walker,
Darrall,	Lynch,	Robinson, Jas. S.	Watson,
Davis, George R.	McClure,	Russell,	Webber,
Dawes,	McCoid,	Shallenberger,	White,
Deering,	McKinley,	Sherwin,	Williams, Chas. G.
DeMotte.	Miles,	Shultz,	Willits.
Errett,	Moore,	Small,	
Farwell, Sewell S.	Morey,	Smith, A. Herr	
Fisher,	Morse,	Smith, Dietrich C.	

NAYS—70.

*Armfield,	*Culberson,	*Kenna,	*Rosecrans,
*Atherton,	*Dibrell,	*Klotz,	*Simonton,
*Atkins,	*Dowd,	*Knott,	*Singleton, Jas. W.
Barbour,	*Dunn,	*Latham,	*Singleton, Otho R.
*Belmont,	*Ermentrout,	*Leedom.	*Springer,
*Berry,	*Evins,	*Manning,	*Stephens,
*Blackburn,	FORD,	*McKenzie,	*Thompson, P. B.,
*Blanchard,	Fulkerson, Readj.,	*McMillin,	*Townshend, R. W.,
*Blount,	*Garrison,	*Money,	*Tucker,
*Buchanan,	*Gunter,	*Moulton,	*Turner, Henry G.
*Cabell,	*Hammond, N J.	*Muldrow,	*Upson,
*Caldwell,	*Hardenberh,	MURCH,	*Vance,
*Cassidy,	*Hatch,	*Mutchler,	*Warner,
*Clements,	*Hoblitzell,	*Oates,	*Wellborn,
*Colerick,	*Holman,	*Payson,	*Whitthorne,
*Cox, Samuel S.,	*Hooker,	RICE, THERON M,	*Williams, Thomas,
*Cox, William R.,	*House,	*Robertson'	
*Cravens,	*Jones, James K.	*Robinson, Wm. E.	

In other words 94 Republicans stood by the railway and 64 Democrats by the people.

INTER-STATE COMMERCE.

The monopoly tendency of the Republican party and the anti-monopoly policy of the Democratic party were further illustrated by the action on the subject of inter-State commerce.

On Monday, June 5, 1881, Mr. REAGAN, (Democrat,) of Texas, moved the suspension of the rules and the adoption of the following resolution:

Resolved, That the rules of the House be suspended and the Committee on Commerce be discharged from the further consideration of H. R. Bill No. 1655, entitled "A bill to regulate inter-state commerce and prevent unjust discrimination by common carriers," and that it be set for consideration on Tuesday, 12th day of December, 1882, and that its consideration be continued from day to day until disposed of, not to interfere with the consideration of appropriation bills or bills for raising revenue,

Numerous bills on the subject had been presented and referred to the Committee on Commerce, which had not seen fit to report any one of them to the House for consideration. It was to compel the consideration of the subject that Mr. REAGAN offered his resolution, which met with decided opposition from Mr. WASHBURN, of Minnesota, Mr. HORR, of Michigan, and Mr. AMOS TOWNSEND, Republican members of the Committee on Commerce. The following debate ensued:

"Mr. REAGAN. There have been a series of bills on the same general subject before the Committee on Commerce, some proposing remedial measures, and some a commission. My object in trying to get the matter before the House, by asking the House to fix a day for its consideration, was with a view that the members might be apprised of the fact so that they can look into the subject by the time the bill is to be taken up for consideration, and familiarize themselves with all of the facts on which it is founded.

"Mr. TOWNSHEND, of Illinois. What day is proposed in the resolution?

"Mr. REAGAN. The second Tuesday of December. It is right to say that any one of the bills, if brought before the House, will bring up the whole subject. My object is simply to get the matter before the House, subject to debate and amendment, so that any one of the bills, or any feature of the question, or any new proposition that may be introduced may be properly considered by the House at some fixed time.

"Mr. WILLITS. Will the gentleman permit me ask him a question?

"Mr. REAGEN. Yes, sir.

"Mr. WILLITTS. Does this resolution psovide that other bills now pending before the House may be offered as amendments to this bill?

"Mr. REAGAN. It does not in express terms, but it provides for the consideration of the question, and that consideration leaves it to the judgment of the House as to what amendments may be offered.

"Mr. WILLITS. But under the rules an amendment which incorporates the substance of another bill pending before the House would not be in order.

"Mr. TOWNSHEND, of Illinois. Undoubtedly it would, if offered as a substitute. It is already in that shape as I understand the resolution.

"Mr. WILLITS. If that be so I should not object to it.

"Mr. REAGAN. There will be no difficulty in taking the judgment of the House upon the question, and if the bill which is proposed to be taken up for consideration at the time fixed in the resolution is not satisfactory, there will certainly be no difficulty under the rules of the House to take up and consider any other measure or proposition which will enable the House to adopt some satisfactory bill to cover the whole ground.

"Now, as to the fact that the matter is before the Committee on Commerce. It is true that it is there, but it is also true that a great deal of consideration has been given it by the committee; but we are six months now after the meeting of Congress, and we have not as yet a bill reported from the committee. While the committee may agree to the measure, still, if the matter is brought before the House in some shape, it will enable some one of the many propositions which have been submitted to be considered; and I feel impressed with the belief that the generous judgment of the country, as well as of the House, demands that this great question shall receive consideration of the representatives of the people. I therefore make the motion with all due respect to the House, and only for the purpose indicated. I now yield the floor to the gentleman from Illinois for a few moments.

"Mr. TOWNSHEND, of Illinois, Mr. Speaker, this is, in my judgment, decidedly the most important undisposed-of question now pending before Congress. We have been in session, as the gentleman from Texas has well said, nearly six months, during which time this subject has been before the Committee on Commerce. No conclusion has been reached, and, in my judgement, if we leave it to that committee to dispose of we will not reach a conclusion before the end of this Congress. I, therefore, decidedly favor the question of bringing it before the House and fixing the time when we can have consideration of it. I am satisfied the sentiment of the people throughout the country, by an overwhelming majority, is in favor of some legislation by Congress looking to their protection from the oppression of railroad monopolies. But if you wait until all these various bills are discussed by railroad presidents and the attorneys of railroads before the Committee on Commerce, the people will have no hearing whatever.

"As has been said by the gentleman from Texas, he does not wish to limit the consideration to one single bill, but simply desires that the whole subject may be set down for consideration, and that all amendments and propositions bearing upon the subject shall have consideration.

"I am satisfied, Mr. Speaker, that no man who looks to the best interests of the

people and to the welfare of the whole country will hesitate to give this great question a consideration at least.

"The question was taken; and there were—yeas 121, nays 78; as follows :

YEAS—121.

*Aiken,	*Davis, Lownes H.	*Kenna,	*Scales,
Anderson,	Dawes,	*King.	Scranton,
*Armfield,	De Motte,	*Klotz,	*Simonton,
*Atherton,	*Dibrell,	Lacey,	Skinner,
*Atkins,	Dingley,	LADD,	Smith, Deitrich C,
*Belmont,	*Dowd,	*Latham,	*Sparks,
*Berry,	*Dunn,	*Le Fevre,	Spaulding,
*Blackburn,	Dunnell.	Lewis,	*Speer,
*Blanchard,	Dwight.	*Lowe,	*Springer,
*Bland,	*Ermentrout,	*Manning,	*Thompson, P. B.
*Blount,	Errett,	Marsh,	*Tillman,
*Bragg,	*Evins,	*Martin,	*Townshend, R. W.
Browne,	FORD,	*Matson,	*Turner, Henry G.
*Buchanan,	*Forney,	*McMillan,	*Turner, Oscar
*Buckner,	*Garrison,	Miller,	Updegraff, Thomas,
Burrows, Julius C.	*Gedes,	*Mills,	Valentine,
BURROWS, Jos. H.,	Godshalk,	Morey.	*Vance,
*Caldwell,	*Gunter,	*Muldrow,	Van Horn,
Calkins,	Hall,	*Oates,	Walker,
*Cassidy,	*Hardy,	Pacheco,	*Warner,
*Chapman,	HASELTINE,	Page,	Watson,
*Clardy,	Haskell,	Payson,	*Wellborn,
*Clark,	*Hatch,	Peelle,	Williams, Chas. G.
*Clements,	*Herbert,	Peirce,	*Williams, Thomas
*Cobb,	*Hewitt, G. W.	*Phister,	*Willis,
*Cook,	*Hoge,	*Reagan,	Willits,
*Cox, Samuel S.	*Holman.	RICE, THERON M.	*Wilson,
*Cox, William R.	*House,	*Richardson, John S,	*Wise, George D.
*Cravens,	Humphrey,	*Robertson,	
*Culberson,	JONES, GEORGE W.	*Robinson, Wm. E.	
*Davidson,	*Jones, James K.	Ryan,	

NAYS—78.

Aldrich,	George,	Neal,	Spooner,
Barr,	*Gibson,	Norcross,	Steele,
Bingham,	*Hardenbergh,	O'Neil,	Stone,
Bisbee,	Harmer,	Parker,	Strait,
Brewer,	Hawk,	*Phelps.	*Talbott,
Briggs,	Heilman,	Pound,	Thomas,
Buck,	Henderson,	Prescott,	Thompson, Wm. G.,
Butterworth,	Hepburn,	Ranney,	Townsend, Amos,
Cullen,	*Herndon,	Ray,	Tyler,
Cutts,	*Hewitt, Abram S.,	Rice, Wm. W.	Urner,
Carpenter,	Hiscock,	Rich,	Van Aernam,
Caswell,	Horr,	Richardson, D. P.	Wadsworth,
Chace,	Hubbell,	Ritchie,	Ward,
Crapo,	Hubbs,	Robinson, Jas. S.	Washburn,
Darrall,	Jones, Phineas,	*Ross,	Webber,
Davis, George R,	Joyce,	Russell,	West,
Deering,	Kelley,	*Scoville,	White,
Farwell, Chas. B.	Ketcham,	Shallenberger,	Young,
Farwell, Sewell S.	*McLane,	*Singleton, Jas. W.	
Fulkerson, (Readj.,)	Moore,	Smith, A. Herr,	

A LOGICAL CONCLUSION.

One would naturally think after listening to the theories and loud professions of the Republican party, that their ideal government was one "of the people by the people and for the people." But in view of the facts and figures which we have above cited, and the dangerous tendencies of that mercenary, corrupt and reckless organization, their theory reduced to practise, means "a government of monopolies by monopolies and for monopolies."

V. Extravagant Appropriations.

MR. ATKINS' STATISTICAL REVIEW.

An elaborate statistical review, contrasting the appropriations under Democratic with those under Republican rule, was presented to the House August 5, 1882, by Mr. Atkins, (Dem.,) of Tennessee, who was, during the 45th and 46th Congresses, chairman of the House Committee on Appropriations.

We reproduce his speech in full. He said:

"Mr. SPEAKER: The duty of providing ways and means for the support of the Government devolves upon Congress, and the constitution specially invests the House of Representatives with the prerogative and duty of defining the limits of taxation, hence the practice of the origination of appropriation bills in that body. But the expenditure of the moneys thus appropriated is committed by the direction of Congress to the Executive Departments of the Government. Congress then appropriates and the administration in power at the time expends the public moneys. Congress is responsible for the appropriations, but the administration is responsible for their expenditure.

"As this conference report is now under consideration, that the House may compare this sundry civil bill with other sundry civil bills, I will here give the amount of each of these bills for the last eleven years. In 1873 the sundry civil bill of that year amounted to $20,148,413.90, in 1874 it amounted to $32,186,139.09, in 1875 it was $27,009,744.81, in 1876 it was $26,644,360.09. This period the Republicans were in the majority in Congress. In 1877 the Democrats came into power, and for that year the sundry civil bill amounted to $16,351,474.58, in 1878 it was 17,133,750.06, in 1879 it was $24,750,100—but it was the bill of that year that contained the fisheries award under the treaty of Washington or $5,500,000. Subtracting that sum, which was unusual, and the sundry civil bill of 1879 would have been $19,250,100. In 1880 it was $17,634,868.56, in 1881 it was $22,503,508,-23, in 1882 it was $22,092,194.12. These six years the Democrats were in the majority. And the present bill amounts to $25,589,358.06. The study of these figures will show at a glance that those bills under Democratic rule were much less than under Republican majorities

"I now invite the attention of the House to a table which will exhibit in detail the fourteen appropriation bills, the last of which is now about to be passed. I also include in the table the amounts contained in the same bills for the last fiscal year ending June 30, 1882, and for the purpose of comparison I have extended the table so as to embrace, in addition, the appropriations from 1873 to 1881, inclusive. This table is carefully compiled from the official records of this House, and is reliable and accurate. In preparing this table I have had it made up so as to embrace the deficiencies that are passed at the same time the other appropriations are made; in other words, instead of carrying back the deficiencies to each preceding year, I have counted them along with the other appropriations made at the same session, so as to show how much is appropriated in the grand aggregate at each session or during each term of Congress.

"I invite your special scrutiny and study of this table, as it presents in a compact form the whole history of appropriations by Congress for the last eleven years, and presents in striking contrast the economy of the Democrats in comparison with that of the Republicans during the periods respectively that they had control of the House of Representatives.

TABLE A.—*Appropriations made by Congress during the fiscal years 1873, 1874, 1875, 1876, 1877, 1878, 1879, 1880, 1881, 1882, and 1883.*

Titles.	1873.	1874.	1875.	1876.	1877.	1878.
Legislative, &c.	$18,671,785 74	$17,120,496 60	$20,783,900 80	$18,902,236 99	$15,417,933 33	$15,450,345 30
Military Academy	326,101 32	344,317 56	339,835 00	364,740 00	290,065 00	286,604 00
Army	28,683,615 32	31,796,008 81	27,788,500 00	27,933,830 00	25,987,167 90	25,612,500 00
Navy	18,296,733 95	22,276,257 65	20,813,946 20	17,001,006 40	12,742,155 40	13,541,024 40
Indian	6,349,462 04	5,540,418 90	5,680,651 96	5,360,554 55	4,572,762 00	4,829,865 69
Pensions	30,480,000 00	30,480,000 00	29,980,000 00	30,000,000 00	29,533,500 00	28,533,000 00
Post-office	28,519,341 84	32,529,167 00	35,756,091 00	37,524,985 00	34,585,701 00	33,584,143 00
Consular and diplomatic	1,219,659 00	1,311,359 00	3,404,804 00	1,374,985 00	1,187,197 50	1,138,374 50
Sundry civil	20,148,413 90	32,186,129 09	27,009,744 81	26,644,350 09	16,351,474 58	17,133,750 06
Fortifications	2,037,000 00	1,899,000 00	904,000 00	850,000 00	315,000 00	275,000 00
Deficiencies	6,596,677 39	12,978,418 60	4,083,914 26	4,703,699 18	2,908,177 09	2,745,480 97
Rivers and harbors	5,588,000 00	6,102,900 00	5,218,000 00	6,643,517 50	5,015,000 00	.....
Miscellaneous acts	8,383,743 23	3,354,824 17	1,921,614 13	1,862,929 19	5,647,505 84	1,262,061 31
District of Columbia	.....	.....	.....	.....	.....	.....
Agricultural	.....	.....	.....	.....	.....	.....
Totals	175,300,533 73	197,920,297 38	183,685,002 16	179,166,209 90	154,533,639 65	144,392,149 23
Less pensions and deficiencies	37,076,677 39	43,458,418 60	34,063,914 26	34,703,699 18	32,441,677 09	31,278,480 97
Totals	138,223,856 34	154,461,878 78	149,621,087 90	144,462,510 72	122,111,962 56	113,113,668 26

TABLE A.—*Appropriations made by Congress during the fiscal years 1873, 1874, 1875, 1876, 1877, 1878, 1879, 1880, 1881, 1882, and 1883.*—Continued.

Titles.	1879.	1880.	1881.	1882.	1883.
Legislative, &c	$15,430,781 30	$16,136,230 31	$16,532,008 93	$17,797,397 61	$20,210,090 64
Military Academy	282,805 00	319,547 33	316,234 28	322,435 37	335,557 05
Army	25,583,186 01	26,797,300 00	26,425,800 00	26,687,800 00	27,258,000 00
Navy	14,152,603 70	14,028,468 95	14,405,797 70	14,566,037 55	14,816,176 70
Indian	4,721,275 70	4,713,478 58	4,657,262 72	4,587,866 80	5,229,374 01
Pensions	29,371,574 00	56,233,200 00	41,644,000 00	68,282,306 68	100,000,000 00
Post-office	33,256,373 00	36,121,400 00	39,093,420 00	40,957,432 00	44,643,900 00
Consular and diplomatic	1,070,135 00	1,097,735 00	1,180,335 00	1,192,435 00	1,256,655 00
Sundry civil	24,750,100 00	17,634,8 8 56	22,503,508 23	22,092,194 12	25,589,358 06
Fortifications	275,000 00	275,000 00	550,000 00	575,000 00	375,000 00
Deficiencies	11,962,013 02	4,633,824 55	6,118,085 00	5,124,046 65	29,248,193 96
Rivers and Harbors	8,307,000 00	9,577,494 61	8,976,500 00	11,547,800 00	18,743,875 00
Miscellaneous acts	1,572,659 00	2,995,123 77	4,959,332 01	1,128,006 15	5,4 0,385 29
District of Columbia	.....	.....	1,712,628 67	1,689,008 72	1,695,098 04
Agricultural	.....	.....	253,300 00	335,500 00	427,280 00
Totals	170,735,506 29	192,653,671 66	189,328,212 64	216,694,378 14	295,248,943 75
Less pensions and deficiencies	41,333,587 02	60,867,024 55	47,762,085 00	79,830,106 68	129,248,193 96
Totals	139,401,919 27	131,786,647 11	141,566,127 64	136,864,271 46	166,000,749 79

RECAPITULATON OF TABLE A.

Average per annum appropriations, exclusive of pensions and deficiencies, from 1873 to 1876, inclusive	$146,692,333 44
Average per annum appropriations, exclusive of pensions and deficiencies, from 1877 to 1882, inclusive	130,807,432 71
Average reduction per annum during years 1877 to 1882 over years 1873 to 1876, inclusive	15,884,900 73
Average per annum appropriations, exclusive of pensions alone, from 1872, to 1876, inclusive	153,533,010 79
Average per annum appropriations, exclusive of pensions alone, from 1877 to 1882, inclusive	135,811,962 82
Average reduction per annum during years 1877 to 1882 over years 1873 to 1876, inclusive	17,721,047 97
Increase of appropriations for 1883 over 1882	78,554,565 61
Increase of appropriations for 1883, exclusive of pensions, over same for 1882	30,836,872 29
Increase of appropriations for 1883, exclusive of pensions and deficiencies, over same for 1882	29,136,478 33
Increase of appropriations for 1883, exclusive of pensions, over average for same during years 1877 to 1882, inclusive	43,436,980 93
Increase of appropriations for 1883, exclusive of pensions and deficiencies, over average for same during years 1877 to 1882, inclusive	35,194,314 08

"It seems, Mr. Speaker, that the appropriations at the present session of Congress aggregate $295,248,943.75, not including the Geneva award, which I believe was about $11,000,000. However, that is an extraordinary and unusual appropriation, and should not, I will admit, be counted in the general aggregate of the appropriation for this session.

"The sum I have named is much larger than the amount appropriated at the last session of the Forty-sixth Congress, which was $216,694,378.53. I am now speaking simply of the appropriations for current expenditures, including pensions, deficiencies, and miscellaneous appropriations. I am aware that it is often contended that deficiency appropriations should be carried back to the account of the preceding year. My remarks are being submitted upon the basis of each year's appropriations, embracing deficiencies and treating them as a part of the grand aggregate, and as though they belonged to the same fiscal year for which the other appropriations are made, and is the fairest method of treating them. Comparing the aggregate appropriations of this session with the aggregate appropriations of the last session of the Forty-sixth Congress, there is for this session an excess of $78,554,565.61.

"Mr. HOLMAN. Does that include miscellaneous appropriations?

Mr. ATKINS. It includes everything except the Geneva award of $11,000,000. If we exclude pensions the appropriations at this session show an excess of $30,836,872.29, and if we exclude both pensions and deficiencies the appropriations of this session exceed those of the last session of the Forty-sixth Congress $29,136,478.33.

Mr. HOLMAN. That includes miscellaneous apprproiations?

"Mr. ATKINS. Of course it does. The miscellaneous appropriations of this session of Congress are much larger than at the last session. At this session they have amounted to $5,420,385.29, including the appropriations made to-day, for instance, the appropriation made for the estate of Mr. Forney, former Secretary of the Senate, and the $50,000 for the public building at Fort Wayne, Indiana.

"In the very nature of things it is next to impossible for Congress to accurately anticipate the wants of the Government. The country is too large, its interests too many and too varied to admit of absolute exactness in estimating for its necessities; hence to a greater or less extent there will be deficiencies. But these deficiencies have become of late years quite a factor in the financial budget of this country. They depend greatly upon the fidelity and economy of the Administration or upon their unfaithfulness and extravagance.

"Mr. HOLMAN. Were not many of the items in the deficiency bill this year merely appropriations for the current year, and not for the previous years?

"Mr. ATKINS. So far as that is concerned, to be very frank, some of the deficiency appropriations made this year should no doubt date back to the last year. But in my judgment vastly the greater portion of deficiency appropriations of this year are justly chargeable to this year for the reason that in my opinion

they are not legitimate deficiencies. A legitimate deficiency in my view is where there is a failure on the part of Congress to make a sufficient appropriation to meet the demands which the law of Congress requires. For instance, we have two hundred and ninety-three members of this House and eight Delegates. Their salaries are fixed by law. Their mileage and their allowance for stationery are fixed by law. If we appropriate too little money to pay our salaries, our mileage, and our stationery allowance, it is a legitimate deficiency because Congress has failed to make a sufficient appropriation to meet the demands required by law.

"But if Congress fails to make an appropriation sufficient to meet the demands of the Executive Departments in the administration of their miscellaneous and contingent fund: for instance, by the way of illustration, I hold it is not a legitimate deficiency, but it is a debt which is incurred by the unwarranted action of the officers of the Government. In that respect lies the difference between many of the dificiencies, some of which are legitimate, while others are not.

"Mr. HOLMAN. Does not that also refer to some of the items for the Navy?

"Mr. ATKINS. I think so. I believe the appropriation of $300,000 for the repair of the flagships Lancaster and Brooklyn clearly come under the head of simple debts incurred by the Government in violation of the spirit and intention of Congress. In making provision for the Bureau of Construction and Repair Congress appropriated $1,500,000 for that bureau, and it distinctly stated that $300,000 of that amount should be used for the repair of those vessels; but instead of that the Bureau of Construction and Repair expended the whole $1,500,000, and then $300,000 more and came back and asked Congress to supply that latter amount as a deficiency. I deny that it was in any sense a legitimate deficiency, and this statement, Mr. Speaker, illustrates millions of dollars of so-called deficiencies

"The whole deficiencies of this session amount to $29,212,682.26, $16,000,000 of which are for pensions and pension arrears.

"I have not time to point out the numerous instances of such unlawful deficiencies annually incurred by wasteful and extravagant and it may be corrupt officials in charge of public revenues, in defiance of the plain-written statutes of Congress forbidding such practices. Their exposition would furnish ample material for a speech much longer than I design this to be—a speech at some proper time, I trust, some member will deliver upon this floor. There is no more inviting field. When it is done the Department or bureau of this Government which shall escape just condemnation for its open violation of law will receive, as it will be entitled to, the commendation if not the thanks of Congress.

"Fixing then in your mind, Mr. Speaker, the nature of a lawful deficiency and in what respect it differs from a debt of the Government unlawfully incurred, it remains for me to say that Congress is responsible for the former and the Administration is responsible for the latter. And as the power is vested in Congress alone, with the approval of the President, to say how much money and for what purpose it shall be expended, it follows that any excess of expenditure incurred by the Administration unless in pursuance of laws enacted by Congress and the limitations thereof is not only unlawful but a gross usurpation.

It is fair to conclude that when Congress makes appropriations that it knows what it is about, and that it means what it says; that is, that the expenditures must be circumscribed by those expressed limits; otherwise Congress, which represents the people, lays and collects taxes, and appropriates the revenues for the uses of the Government, is sovereign in these respects in theory only, but is in fact the mere puppet to do the bidding of a selfish, usurping, and extravagant bureaucracy, run by subaltern clerks.

Many of these deficiency bills are not regular deficiencies, but are expenditures incurred by Government officials without authority of law.

Section 3678, Revised Statutes, reads thus: "All sums appropriated for the various branches of expenditure in the public service shall be applied solely to the objects for which they are respectively made, and for no others." Now, will any one pretend to claim that moneys appropriated for miscellaneous and contingent funds of the various bureaus, for the maintenance of the Navy and of the Army, and for many other branches of service, shall be or can be lawfully diverted to the employment and payment of clerks and other employees, as has been the common practice in some of the Departments, thereby necessitating an insufficiency of the appropriation for the purpose specified in the appropriating

act; and I submit is it fair thus to act as some of the Departments and bureaus have done, and then come before Congress asking for deficiencies brought about, not by complying with, but by violating the law? And is it the duty of Congress to encourage these violations of the statutes and the creation of deficiencies, whether lawful or unlawful, by a too ready yielding and granting their requests? Is not our readiness to give an incentive to them to ask? Thus many unlawful expenditures are incurred in violation of law, contracts are entered into in excess of appropriations, and when the money gives out straightway great deficiency estimates are sent in for Congress to provide payment, whereas had the Departments observed the statute forbidding the contracting for any service or thing until an appropriation has first been made by Congress for that particular object, there would of course be no deficiencies.

That the country may not be confused by this talk about deficiencies and pensions—subjects, however, which ought to be closely and critically understood by Congress and the people—allow me to again refer to the above table. The appropriations for all purposes for 1881 are $189,328,222.64, pensions $41,644,000, leaving $147,684,222.64 for net ordinary. Now, take deficiencies from that sum, which were $6,118,085, and we have $141,566,137.64, for 1881.

The whole sum appropriated for 1883 is $295,248,943.75. Excluding pensions and pension deficiency, $116,000,000, and other deficiencies, $13,212,681.26, and we have for 1883, the appropriations being made at this session, $166,000,749.79, for net ordinary expenditures, or $24,434,612.15 in excess of the net ordinary appropriations for the fiscal year ending June 30, 1881, and $29,136,478.33 in excess of the net ordinary appropriations for the year ending June 30, 1882, or $34,214,102.68 in excess of the net ordinary appropriations of the fiscal year ending June 30, 1880, which were $131,786,647.11 exclusive of pensions and deficiencies. At the same rate of appropriations for 1884, the Forty-seventh Congress, Republican, exclusive of pensions and deficiencies, will have appropriated in round numbers, $58,000,000 more money to defray the net ordinary expenditures of the Government than was appropriated by the Forty-sixth Congress, which was Democratic.

Thus it will be seen that the Republican party in administering the Government, exclusive of pensions and deficiencies, appropriates about 20 per cent. more money than the Democrats have done for the same purposes; this, too, with the great advantage of being in accord with the Administration, for it the Democrats of the House, showing, as they have, their disposition and power to retrench expenditures, had the advantage of a Democratic administration, intent upon retrenchment and reform, as it doubtless would have been, the facilities thereby afforded for curtailing public expenditures and lessening annual appropriations, cutting off useless service and unlawful deficiencies and otherwise reforming the civil service, would have largely reduced the annual budget, thereby adding to our surplus to be applied to the extinction of the national debt, or by that sum to have diminished the taxes of the people.

The natural growth of the Government is something I admit, but unfortunately for our Republican friends the Democrats practiced an economy in the Forty-fourth and Forty-fifth Congresses amounting to $85,855,136.54, or $21,463,783.13 average per annum—in the face of a Republican administration—less than the Republicans appropriated in the Forty-second and Forty-third Congresses, and the disadvantages of the growth of the Government was against the Democracy in this calculation. I excluded the fisheries award in 1877 of $5,500,000 just as I have excluded the Geneva award at this session of $11,000,000 as extraordinary and unusual. And again, taking the last session of the Forty-sixth and the first session of the Forty-seventh, the difference is $29,136,476.33 in favor of the economy of the Democrats.

Why should it cost $25,000,000 on an average annually more under a Republican than under a Democratic House of Representatives to administer the Government? As I have before intimated, the Republicans are more prone to yield to the demands of a Republican administration in excusing violations of the laws and allowing larger and questionable deficiencies. As for instance the Democrats allowed in 1879 and 1880 each about $5,500,000, and in 1881 between seven and eight millions, carrying back the deficiencies to each year respectively, not including pension deficiencies, while the Republicans, exclusive of pension deficiencies, have in 1882 allowed $13,212,681.26.

That the public may not be misled or confused in their understanding as to the

amounts of deficiencies appropriated for by Congress, I will give them for the last eleven years as shown by table A, which is taken from the laws of Congress and the records of the House itself. Deficiencies allowed in 1873 were, $6,596,677.39; in 1874, $12,978,418.60; in 1875, $4,083,914.26; in 1876, $4,703,699.18; and in 1883, $13,248,193.96, aggregating $41,609,904.39. During each of these years the Republicans had control of Congress. For the six years, between 1876 and 1883 exclusive, the Democrats had Control of the House and a part of the time control of the Senate. The deficiencies allowed in 1877 were $2,908,177.09; in 1878, $2,745,480,97; in 1879, $11,962,013.02; in 1880, $4,633,824.55; in 1881, $6,118,085, and in 1882, $5,124,046.65, aggregating $33,391,627.28, or $8,618,277.11 less in six years appropriated for deficiencies by the Democrats than were appropriated by the Republicans in five years.

Or, in other words, the Democrats appropriated for the six years they had control of the legislation on an average, per annum, the sum of $5,565,271.21, while the Republicans appropriated on an average, per annum, the sum of $8,321,980.88; no pension deficiencies are included in either of the periods.

Below I give a table showing the larger deficiencies allowed during this session, very few of which can be justly called a deficiency in the sense of the word, as before explained; and the remaining six or seven millions allowed are in the main far less entitled to be classed as legitimate deficiencies, as they, like many of these, were made in excess of authority and outside of law:

TABLE B.—*Deficiencies provided for on account of the fiscal year 1882.*

Compensation of postmasters	$1,192,206 83
Transportation by railroads	1,120,000 00
Miscellaneous postal service	75,144 35
Naval service	425,407 04
Indian service	1,036,881 67
Pensions	16,000,000 00
Army	520,000 00
Public printing and binding	865,000 00
Fish and Fisheries	82,001 45
Tenth Census	620,000 00
Expenses of United States courts	253,056 78
Internal-Revenue Service	380,000 00
Mints and assay offices	53,418 00
Expenses of Congress	85,273 01
Pension Office	73,900 00
Patent Office	44,911 79
General Land Office	25,000 00
Total	22,852,200 97

"After this showing it is very plain that deficiencies are much larger under Rebublican than under Democratic rule; and the only way to account for the excess must be from the fact that the Departments are less careful, more extravagant, and more confident of having their demands satisfied by a Republican than by a Democratic Congress.

"But knowing that our Republican friends will seek to cover their extravagance behind the familiar and popular defense of pensions, and would have the public believe that the increase of expenditures under their administrations is to be attributed to the extraordinary large sums paid for pensions, I propose to strip the issue of all expenditures for pensions in every form, and then to see how the account stands between the two parties. With this view I produce a table carefully prepared from the records of the Treasury Department, excluding pensions and interest:

TABLE C.—*Per capita net ordinary expenditures of the Government, exclusive of pensions and interest, for the fiscal years 1858 to 1861, 1873 to 1876, and 1879 to 1882.*

Years.	Estimated population.	Total net ordinary expenditures, exclusive of pensions.	Per capita expenditures.
1858	29,793,032	$71,110,668 87	$2 38
1859	30,618,176	65,133,727 36	2 12
1860	31,443,321	58,955,952 39	1 87
1861	32,064,000	61,581,456 05	1 95
1873	41,676,000	151,129,210 04	3 62
1874	42,795,000	165,080,570 34	3 83
1875	43,949,000	141,073,632 05	3 21
1876	45,135,000	136,600,417 67	3 02
1879	48,863,000	126,498,452 14	2 58
1880	50,155,783	113,312,887 81	2 26
1881	51,462,000	127,083,618 01	2 47
1882	52,799,000	125,559,038 83	2 37

Average per capita for the four years from 1858 to 1861, inclusive..... $2 08
Average per capita for the four years from 1873 to 1876, inclusive..... 3 42
Average per capita for the four years from 1879 to 1882, inclusive..... 2 42

"Thus it will be observed that the entire expenditures, excluding interest and pensions, as shown by this table, for the per capita expenditures under a Republican administration, is from 20 to 25 per cent. greater than under a Democratic administration, whether before or since the war. The luxury of Republican rule costs that much more than under Democratic rule. Whether it be appropriations or expenditures, whether in the grand aggregate or in analytical detail, whether collectively or per capita, whether before or since the war, that fact is clearly established.

"Another reason for Republican extravagance arises out of the constant and gradual increase of salaries and the creation of new offices and the grading-up of clerical positions.

"That there may now and then be a just necessity for the increase of a salary I will not deny. There are some very laborious and overworked positions, with inadequate salaries it may be, while there is a large percentage much too high-gauged by the labor performed; but to equalize them so as to affix to each just compensation would be a task of great difficulty, labor, and perplexity. The whole number of clerks carried in the legislative, executive, and judicial appropriation bill is 7,745. The net increase over last year is 1,590. Of that increase 1,210 are for pensions, the remainder (380) are for other departments.

"The force is increasing in a larger ratio than are the revenues. As the Post-office Department is one of constant growth and ramifies itself into all of the political and social relations of the people, any statistics in reference to it are eagerly sought and appreciated.

"The following table will show the percentage of increase in clerical force, the percentage of cost of such force, and the percentage of actual increase in revenues for 1882 over 1881, and the estimated increase of 1883 over 1882:

POST-OFFICE DEPARTMENT.

"Increase in number of clerks and others in 1882 over 1881, 7 1-6 per cent.
"Increase in cost of force for 1882 over 1881, 7¼ per cent.
"Actuall and estimated increase in revenues for 1882 over 1881, 13½ per cent.
"Increase in number of clerks and others for 1883 over 1882, 10 3-5 per cent.
"Increase in cost of force for 1883 over 1882, 10 5-6 per cent.
"Estimated increase of revenues for 1883 over 1882, 8 per cent.

"It will be observed that the percentage of clerical force and cost of same for 1882 over 1881 is considerably less than the percentage of increase in revenues, being 7 1-6 of force and $7\frac{1}{4}$ in cost of force to $13\frac{1}{2}$ per cent of revenue, while the rate per cent. of number and cost of clerical force, as provided by the current legislative, executive, and judicial appropriation bill for 1883 over 1882 is about 11 per cent., to 8 per cent. increase in the revenues. Now I leave these figures to point their own moral. It is the repetition of the same idea. It results from increase of force and increase of salaries above the ratio of the increase of revenues. In this connection I publish as a part of my remarks the following letter from Postmaster-General Howe:

OFFICE OF THE CHIEF CLERK TO THE POSTMASTER-GENERAL,
Washington, D. C., July 20, 1882.

SIR: In reply to your dispatch to the Postmaster-General, he directs me to say that the postal receipts for the nine months ended March 1, 1882, amount to $31,067,343.65. The receipts for the quarter ended June 30 are not ascertained, the accounts being in process of adjustment by the auditor. A careful estimate places the receipts for the entire fiscal year at $41,772,000. This is an increase of 13.5 per cent. over receipts for the year ended June 30, 1881.

Very respectfully, F. H. HOWE, Chief Clerk.

Hon. J. D. C. ATKINS,
House of Representatives, Washington, D. C.

This table and these figures show that somehow or other expenditures under a Republican House exceed those under a Democratic House, no matter in whatever branch of public service we look.

In analyzing expenditures in different branches of the public service it is curious to see how the expenditures under a Democratic House of Representatives fall below those under a Republican House, as the following table, compiled from tables of revenue and expenditures, furnished me by the Treasury Department, and therefore official, shows:

Civil and miscellaneous:	
1872-'74-'75-'76, (Republican)	$280,998,779 84
1877-'78-'79-'80, (Democratic)	229,884,855 42
Difference in favor of Democrats	51,113,814 42
War Department:	
1873-'74-'75-'76, (Republican)	167,828,600 15
1877-'78-'79-'80, (Democratic)	147,779,460 70
Difference in favor of democrats	20,049,139 45
Navy Department:	
1873-'74-'75-'76, (Republican)	94,919,780 30
1877-'78-'79-'80, (Democratic)	60,987,348 31
Difference in favor of Democrats	33,932,431 99
Indians:	
1873-'74-'75-'76, (Republican)	28,995,381 96
1877-'78-'79-'80, (Democratic)	21,055,853 67
Difference in favor of Democrats	7,939,528 29

In 1857-'58-'59-'60 the total customs amounted to $208,418,862.26. We had no internal revenue then.

Thus it will be observed that in four years the Republicans expended in civil and miscellaneous expenditures $51,000,000, in the War Department $20,000,000, $33,000,000 in the Navy, and in the Indian Bureau $8,000,000 more than was expended when the Democrats had control of the House of Representatives. That the growth of the country is a justifiable answer for these increased appropriations under Republican rule, and that this apology to cover their extravagance is fallacious, I quote from a speech I delivered in this House on the 15th of June, 1880, commenting upon a table prepared from the finance report of 1879 and from the records of the Treasury Department relating solely to expenditures and published in the *Congressional Record* of that date.

I then commented as follows: "Thus it will be seen that, tried by the per

capita cost of administration, the three years preceding the war the average per capita expenditure per annum was $2.17, while for the years 1874, 1875, and 1876 it was $4.01, and for 1877, 1878, and 1879 it was reduced to $3.03. The last year of Mr. Buchanan's administration the expenditures fell to $1.91 per capita per annum." The table included expenditures for the payment of pensions. At that time there was no interest, or practically none.

Now, the estimates found in the Book of Estimates for the fiscal year ending June 30, 1883, amount to $255,219,190.83, being less than the amount appropriated by the enormous sum of $41,162,149.50. It may be remarked that the appropriations exceed the estimates for the first time in many years. In order that the country may arrive at a correct idea of the appropriations made by the Republicans and Democrats respectively, I will show the amounts appropriated for all purposes, exclusive of pensions, for the four years preceding the advent of the Democrats to the control of the House of Representatives in 1877, and the four years they held the majority in that body, including deficiencies and carrying them back to each preceding year. In 1873 the appropriations were $151,202,274.94; in 1874 they were $158,545,793.04; in 1875 they were $154,324,787.08, and in 1876 they were $147,370,687.81, or for the four years indicated the grand aggregate was reached of $611,443,542.87. Now take the next four years, and we find appropriated for 1877, $124,857,443.53; 1878, $125,075,671.28; 1879, $134,034,919.27, and for 1880, $135,838,000, aggregating $519,806,034.08. being $91,637,507.79 less to run the Government for four years under the Democrats than for the four preceding years by the Republicans. In 1879, too, it will be remembered that Congress appropriated out of the Treasury $5,500,000, under the treaty of Washington, to pay the fisheries award to Great Britain, which was peculiarly extraordinary. Subtracting that from the last aggregate of $519,806,034.08 leaves the sum of $514,306,034, or $97,137,507.79 less appropriated during the Forty-fourth and Forty-fifth Congresses by the Democracy than for the corresponding period of the Forty-second and Forty-third Congresses under the Republicans. In this calculation the deficiencies are carried back to the preceding year. In both periods pensions are excluded. In the table marked A the deficiencies are credited to the same years that the other appropriations are made for; in this calculation they are, as just stated, carried back to the preceding years, which will account for the difference in the two statements.

I exclude the fish award of $5,500,000 on the same ground that I exclude from the appropriations made at this session of Congress the $11,000,000 for the Geneva award. Counting in that sum, and the grand aggregate of appropriations at this session would amount to $306,248,943.75. But I exclude both the fish award and the Geneva award as extraordinary and unusual appropriations.

The Secretary of the Treasury, in his annual report to Congress of December last, estimates the total ordinary receipts at $400,000,000. The estimated ordinary expenditures, including interest on the public debt, sinking fund, collection of customs, and all other expenditures under permanent appropriations, he puts at $340,462,507.65. In his estimates of total receipts the Secretary only allows $920,077.95 as the actual appropriation from the Treasury for postal expenditures, and does not include $41,000,000 of postal revenues. Add that sum to the estimated expenditures, and we have about $380,000,000, the estimated expenditures for 1883. Add the postal revenues of $41,000,000 to the $400,000,000 of estimated receipts, and we have $441,000,000 of total receipts for 1883.

The appropriations made at this session of Congress are $295,248,943.75 exclusive of the $11,000,000 for the Geneva award, which makes $306,248,943.75. The total estimated expenditures under permanent appropriations amount to $126,202,939.22, which added makes the grand aggregate of $432,451,882.97 of appropriations for the fiscal year ending June 30, 1883. In that deficiencies appropriated at this session are included, for it is fair to presume that the deficiencies will be as great next year as they are this under the management of our Republican friends; besides each Congress must be held responsible for what it appropriates.

At this rate of public expenditure, there will soon be no great surplus in the Treasury to vex us.

If this rate of expenditure continues, as it now from present appearances bids fair to do, instead of reducing taxes I rather fear they will be more likely

increased. It is true there is at this time a cash balance available in the Treasury of $139,000,000, but it is rapidly melting under the calcium light of Republican statesmanship and will soon be gone. Nevertheless I favor a reform in our tariff laws which will bear more equally upon the people, in fact, reduce their burdens and at the same time increase the revenue. By adopting the revenue basis of taxation that desirable result can be doubtless attained, as the history of taxation in every country has demonstrated, notably in England and in this country.

But assuming that the total receipts, including revenues, will be $440,000,000, and that the total expenditure will be $380,000,000, including postal expenditure, there will be only $60,000,000 surplus, which with another amendment to the pension laws or the adoption of a grand isthmian scheme may be swept from the vaults of the Treasury. But the appropriations made by this Congress as the estimated expenditures under permanent appropriations amount to $432,000,000, including Geneva award, thus equaling, or nearly so, the estimated receipts, and leaving no surplus, or practically none, for the fiscal year of 1883.

More recent calculations by statisticians in the Treasury Department put the annual interest at $57,000,000, while the Secretary in his annual report of December last puts the annual interest at $65,000,000. The following table, compiled in the Treasury Department, is a full exhibit of the expenditures under permanent appropriations. This was for the past fiscal year of 1882. In a note from the very able and efficient chief of the warrant division, Mr. McClellan, bearing date 31st of July past, I am informed that there will be a reduction below both these figures both in the interest and sinking fund account of $15,000,000 each, making $30,000,000, which would reduce the expenditures under the permanent and indefinite appropriations to $116,849,000.

Expenditures under permanent and indefinite appropriations during fiscal year ending June 30, 1882.

Interest on the public debt	$71,077,206 79
Salaries and expenses steamboat inspection service	228 371 46
One month's pay to certain employees of the House	19,960 93
International bimetallic commission	19,664 40
Contingent expenses national currency, reimbursable	38,329 64
Coinage of standard silver dollars	133,658 67
Refunding to national banking association excess of duty	412 66
Expenses of Smithsonian Institution	62,825 54
Return of proceeds of captured property	2,698 94
Mail transportation, Pacific railroads	544,786 83
Fees of supervisors of elections	38,397 08
Salaries retired judges	36,757 10
Arming and equipping militia	148,631 48
Powder and projectiles, proceeds of sale	30,200 56
Ordnance material, proceeds of sales	64,957 58
Support of soldiers' Home	76,071 20
Bounty under act July 28, 1866	63,518 50
Operating and care Saint Clair Flats Canal, Michigan	4,889 60
Operating and care Saint Mary's Falls Canal, Michigan	24,000 90
Operating and care Louisville and Portland Canal, Kentucky	44,562 91
Operating and care Des Moines Rapids Canal, Iowa and Illinois	45,000 00
Transportation of the Army and its supplies, Pacific railroads	811,072 28
Bounty to Fifteenth and Sixteenth Missouri Cavalry	99,000 00
Trusses for disabled soldiers	10,000 00
Transportation and distribution of rations for persons rendered destitute by overflow of Mississippi River	15,319 47
Redemption of stamps—internal revenue	25,565 91
Refunding taxes illegally collected—internal revenue	59,657 78
Allowance on drawback—internal revenue	49,770 90
Repayment to importers excess of deposits—customs	3,522,431 72
Debentures or drawbacks—customs	2,188,733 19
Debentures and other charges—customs	179 45
Unclaimed merchandise—customs	2,203 63
Marine-Hospital Service	468,120 16
Expenses of collecting revenue from customs	6,506,359 26
Extra pay to officers and men in Mexican war	869 70
Gratuity to machinists in lieu of re-enlistment	35,000 00
Relief of persons impressed into the naval service	2,192 40
Repayment for land erroneously sold	47,241 48
Indemnity for swamp lands purchased by individuals	126,677 50
Two, three and five cent. fund—net proceeds sales of public lands	87,035 39
Maryland institution for the blind	4,825 00
	86,770,157 09
Redemption of bonds for sinking fund	60,079,150 00
Total	146,849,307 09

TREASURY DEPARTMENT, *Warrant Division, July* 31, 1882.

"I could pursue these analyses and comparisons further, exhibiting like results favorable to the Democrats, but it only adds demonstration to facts too well attested and universally admitted by all fair men. I have spoken from the record. These tables are compiled in every instance from the official records of the Government. I have endeavored to be fair, and I think I have been accurate.

"The steady increase of expenditures, the creation of new bureaus, the extension of the paternal care of the Federal Government over almost every conceivable interest of the people, interests which used to be considered as purely domestic, and therefore under the charge of the State Governments exclusively, is rapidly familiarizing the public mind with the enlarged powers of the national Government, whether constitutional or assumed, so that we may expect and prepare ourselves in the future for larger appropriations and expenditures than were borne in the past. But with all that, there is still the greater need for watchfulness and a jealous guarding of the public interests by the Representatives of the people who supply the revenues against the cunning devices of what is now a well-known organization designed to exploit the Treasury.

"The countless millions which have been thus exploited through unjust and discriminating laws, in almost every way, would be a frightful picture for the American people to gaze upon. But for their indomitable energy and for the amazing wealth of their unbounded natural resources the people would read in this picture of maladministration of their public affairs the bankruptcy of their nation and of themselves. But so young, vigorous, recuperative, and giant-like is the Republic, we may confidently hope with a frugal husbanding of our resources to find ourselves at the close of this century practically clear of debt and possessed of a wealth and comfort that far exceeds that of any other nation that has ever existed. But to attain that desirable end the laws of taxation should be equal and just, the protection to monopolies, whether in their individual or corporate capacity, should cease, and the public moneys should be judiciously appropriated according to law, and faithfully expended under the strict limitations of the same. Guided by any other rule there is no safety for the Government.

"One other thought occurs to me. No party in power should be allowed to collect assessments for election purposes from officials and employees, as the larger the salaries are the larger are the assessments. The motive for the increase of salaries becomes one of the preservation of political power which may become so great and powerful as to control elections and perpetuate the party in power indefinitely. This no political party or administration should be allowed to do. The Democrats in the Forty-fourth Congress thought they had effectually prevented this evil when they passed the following as a part of the legislative, executive, and judicial appropriation bill for the year ending June 30, 1877. Section 6 reads thus:

That all executive officers or employees of the United States not appointed by the President, with the advice and consent of the Senate, are prohibited from requesting, giving to, or receiving from any other officer or employee of the Government any money or property or other thing of value for political purposes; and any such officer or employee who shall offend against the provision of this section shall be at once discharged from the service of the United States; and he shall also be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in a sum not exceeding $500.

This came from the Committee on Appropriations at the first session of the Forty-fourth Congress, at that time so ably presided over by the distinguished gentleman from Pennsylvania [Mr. RANDALL.] We scarcely thought that it would be evaded by our Republican friends by a technicality. We did not believe that any one would seek to place disabilities in the suppression of an admitted evil upon officers and employees of the Government, and yet allow Senators and Representatives in Congress to perpetrate deeds made unlawful for others to commit.

And yet it is true. To-day a member of Congress is allowed to assess a Government clerk or employee or laborer for political purposes, when such assessment and payment would send other persons to prison unless they paid a fine of $500. This unlawful practice a Democratic House attempted to abate, but the spirit and intention of the law is violated by a technical dodge, by handing over to a Congressional committee the entire body of Government officials and employees, to be exploited out of 2 per cent. to help continue and perpetuate that party

in power; whereas plain, common people would be punished for doing the same thing.

But outside of the wrong and general indefensibility of those assessments, it is a blow at the independence of the citizen who happens at the time to be a Government employee; but it also tends to induce the party in power to create new and unnecessary offices, to provide larger salaries, and to indulge extravagance in public expenditures. In that a wrong is done to the whole people. The good of the public ceases to be the rule and guide in the civil service, and only what is best calculated to perpetuate indefinitely the ruling party in power becomes the rule of action. The statement of this proposition carries to every patriot's mind and heart its own condemnation. The people will see to it that the law of 1877 is not evaded, but enforced, and, if need be, enlarged, so as to let members of Congress understand that they possess no exclusive privileges, and are as amenable to the laws as are the private citizens of our common country.

SENATOR PLUMB'S ADMISSION.

The people who pay the taxes and therefore bear its burdens, can draw but one conclusion from the above array of facts and figures, and that is, Congress under Republican rule is a very expensive luxury. Perhaps they would like to have their eyes opened a little further to the inside workings of this reckless body. If so, we will present them with a speech, which, to use a favorite expression of Horace Greely, is "mighty interesting reading." We refer to a speech by a Republican Senator, (Mr. Plumb,) of Kansas, a member of the Committee on Appropriations, delivered in the Senate the last day of the session.# In perusing it the reader will please bear in mind that the House and Appropriations Committee of the House, so severely arraigned, were organized and are controlled by a Republican majority, in other words by the Senator's own party. We reproduce his speech in full, as follows :

Monday 7th Aug. 1882.

"I offer the following resolution :

Resolved by the Senate, (the House of Representatives concurring,) That the President of the Senate and Speaker of the House of Representatives declare their respective Houses adjourned *sine die* at five o'clock p. m., Monday, August 7, 1882.

"Before any objection is made on that I desire to call the attention of the Senate and of the country to some facts that I think are pertinent to be considered now in connection with the question of adjournment.

"This is the first Monday of August, the 7th day of the month. This Congress has been in session since the first Monday in December, now over eight months. It is an unusual extension of a session of Congress in a time of profound peace. There is responsibility somewhere unless the legislation which has been completed can be said to have made that extension necessary and be of sufficient importance to have warranted it. We have been here for over eight months exercising our privileges of speech upon various measures, but practically waiting for the appropriation bills to be sent down from the House of Representatives, which has on various occasions distinctly refused to recognize the right of the Senate to originate bills of that kind. Every single item necessary to going to those bills was before the House on the day on which it assembled. Every estimate which could enter in any reasonable or proper way into their construction was embraced in the communications of the Executive Department which were laid before the House on the first day of this session.

"There was no reason physically or mentally why every appropriation bill should not have been properly constructed and laid before the House during the first thirty days of its session. There was every reason consistent with the proper discharge of public business why that should have been done. Take the deficiency bill for example. Every deficiency was created before the first day of this calandar year that entered into the bill as passed. Every deficiency practi-

47th Congress - 4 March 1881 To 3 March 1883
— House Republicans — 147
Democrats, — 135
All others, — 11 } 146
Senate - Repub 37 - Dems - 37 -
- Davis and Mahone — 2 -

cally was created before the first day of the fiscal year which ended on the 30th day of June, 1882. And yet that deficiency bill did not get to the Senate until the 8th day of June last. No important appropriation bill was received by the Senate until near the close of the fiscal year. The Navy bill passed the House on the 12th day of July, twelve days after by its terms it was to take effect and become operative. The legislative, executive, and judicial bill passed the House on the 19th day of June, leaving the Senate only ten days in point of fact to consider and report and pass that bill in order to make its provisions effective when they should have taken effect. The Senate has had no practical opportunity in regard to the larger appropriation bills to consider them with a due regard for its own responsibility as a branch of the legislative power of this Government.

"The sundry civil bill, which touches every Department of the Government, not only in Washington but out of Washington, on every mile of our sea-coast, in every harbor of this country, in every custom-house, everywhere, embracing more legislation than any other bill that has passed this Congress, came to the Senate on the 12th day of July; that is, it passed the House on that day and probably came here the next day. In other words, thirteen days after it should have taken effect it came to the Senate for consideration. I appeal to the older members of the Senate Committee on Appropriations, and to all the members of this body who have been here for a long time and know the processes that ought to be observed in regard to legislation, when I say that that bill ought to have been considered in the Appropriations Committee for one solid month at least in order that the Senate committee and the Senate itself in its turn might have been properly informed in regard to its provisions, and have offered and considered the proper amendments thereto as well as its original provisions.

"The river and harbor bill came here on the 17th day of June. It was passed by the Senate on the 5th day of July, five days after its provisions should have taken effect. The deficiency bill, as, said, came here on the 8th day of June, and it was passed by the Senate on the 30th day of June. The Army appropriation bill came here on the 29th day of March, and on account of the necessary absence of one of the members of the Appropriations Committee who had it in charge was not passed by the Senate until the 31st day of May. The Indian appropriation bill came here the 1st day of March, and was passed on the 23d of March by the Senate. The naval appropriation bill passed the House on the 6th day of July and came to the Senate on the 7th, and was reported by the Senate committee on the 12th, or after only five days' consideration, a bill embracing a reorganization of the Navy, one of the most important branches of the public service, and it was passed by the Senate on the 31st day of July.

"Every single step in the legislation of this Congress which has been retarded has been due to the dilatory action of the House in regard to the great appropriation bills. Whether that action is due to the tardiness of the committee of the House or to the House itself is a matter that I do not care to enter into, but I want to say here and now on my responsibility as a member of the Senate and as a member of the Appropriations Committee that this long, this unwise, injurious extension of the session of Congress has not been due to the action or non-action of the Senate, but it has been wholly due to the gross and unusual tardiness of the other branch of Congress in sending us the important bills on which we are required to act before we could adjourn; and yet in the face of all this for weeks the Senate has been held up as tardy in its action, as retarding the public business, as obstructing its consideration, as in every way responsible for this extension which has become so long and so chronic that, as a gentleman said to me this morning, who had recently returned from the West, everywhere it was a subject of unfavorable comment, and people were becoming apprehensive that in some way Congress proposed to continue the session indefinitely, and by continuing in session threaten the various interests of the country that were to be affected by legislation.

"Take, for instance, the bill to correct the error in the duty on knit goods. That came to the Senate on the 3d day of July. The bill in regard to internal revenue taxation came here on the 28th of June, and along with it, to hide the tardiness of the House, came a resolution to adjourn on the 10th of July, giving the Senate no time whatever under the terms of that resolution to consider either of these very important measures.

"The House has trifled deliberately and intentionally, as I believe, with every

interest of this country for purposes which, not being apparent, I will not speak of, but which are not to be laid at the door of the Senate in any way whatever. We have taken up not only all the public measures, but all the private measures that have come to us from the House of Representatives, and with all the swiftness consistent with due consideration and with more in point of fact, and have considered them, and reported them, and acted upon them. If the Senate has discussed any measure of proposed legislation at any great length it has been because the regular and most important business of legislation has been meanwhile withheld from our consideration by the House. The Appropriations Committee of the House, and through that committee the House, has deliberately withheld from the Senate at the proper time the important business of the session. The purpose seems to have been to compel the Senate to accept whatever was sent to it without consideration and without any regard for its own responsibility.

"I want the responsibility for this long session going into the dog-days, the extension of which has stopped manufacturing to a large extent, and has stopped purchases in a very great degree, and has prevented business enterprises, to rest exactly where it belongs. Let each member of the other branch of Congress apportion to himself that which belongs to him according to his judgment, and not put any portion of it upon the Senate collectively or individually."

VI. Democrats and the Soldiers.

RECORD PRIOR TO FORTY-SEVENTH CONGRESS.

DEMOCRATIC EFFORTS FOR THE SOLDIER THWARTED BY REPUBLICANS.

The Republicans in Congress have always been loud in their professions of love for the soldier. Professions are one thing. Acts are quite another. An examination of the records of the Democratic and Republican parties on this subject shows that while the latter have been professing, the former have been acting; while the latter have been promising, the former have been fulfilling. The Democrats have not only passed private pension bills most cheerfully, but have enacted general laws whenever the mass of the soldiers were to be benefitted thereby. Bills for the equalization of bounties and for arrearages of pensions have both passed Democratic houses, only to be defeated outright or contemptuously kicked aside in the Republican Senate.

In the course of a speech on this subject in 1878, in the House of Representatives, Hon. John A. McMahon, of Ohio, truthfully said:

"The importance of these votes is more apparent when we consider that the Democratic party came here in the interest of retrenchment and reform. Have we ever cut down the pension bills? Have we ever listened to the oft repeated charge that the pension list is too large; that fraudulent claims are on it; that it should be revised? No, we prefer to err on the side of the soldier and his suffering family. We have cut everywhere else; we have retrenched in every direction but in that. We vote for no increased expenditure except for the Union soldier."

Below are a few of the measures which the Democrats have originated and passed in the interest of the soldier. In every case, where the measure was defeated, the Republican party was responsible for the defeat as the record shows. Votes against meritorious bills always came from the Republican side. If they thought they could not defeat a bill by their votes they buried it in the committee room.

EQUALIZATION OF BOUNTIES.

Frequently since the close of the war attempts have been made to equalize the bounties of soldiers. In the Forty-third Congress a bill passed the House. It went to the Senate, which was at the time overwhelmingly Republican. After remaining in committee some time it was passed, but at so late a day in the session that it was somehow lost between the two Houses. It never received the President's signature.

When the Democrats came into power in the House they immediately looked into the question. Several bills for equalization were introduced and referred to the Committee on Military Affairs. They were placed in the hands of Gen. Phil. Cook, of Georgia, who reported a bill without unnecessary delay. It was reported on March 11th, 1876. Although frequently pressed by Gen. Cook, its consideration was not reached until June 20th. Gen. Banning, of Ohio, the Chairman of the Committee on Military Affairs, made a speech, in the course of which he demonstrated the feeling of the Democrats toward the soldiers. Gen. Banning said:

"I do not propose to make a speech or an argument on this bill. This House has frequently heretofore declared in favor of this measure. It has been promised to the soldiers since 1862, but it is left for this Congress to redeem the promises of gentlemen on the other side who have been making them and making them and making them, but have never kept them. I believe that those promises will be redeemed to-day, and it will be done by this Congress that gentlemen have seen fit to denominate the

Confederate Congress. When the news goes abroad that this Confederate Congress has rendered unto the soldier that which is his, but which the Republican party failed to give him, then I hope the cry of 'Confederate Congress' will be buried forever."

The bill passed the "Confederate Congress," as it was called, by a vote of 141 to 46 (*see Cong. Record, vol.* 4, *part* 4, 1*st sess.* 44*th Cong., pp.* 3939, 3940.)

The affirmative vote was as follows: Messrs Adams, Ainsworth, Anderson, Atkins, Bagly, J. H. Bagly, Jr., Baker (Ind.), Baker (N. Y.), Ballou, Banks, Banning, Blair, Bland, Brown (Kan.), Burchard (Ill.), Burchard (Wis.), Burleigh, Campbell, Cannon, Cason, Caswell, Cate, Caulfield, Clarke (Mo.), Clymer, Cochrane, Cook, Cutler, Danford, DeBock, Dennison, Dibrell, Dollins, Dunnell, Dugand, Eames, Eden, Finley, Fort, Foster, Franklin, Freeman, Frost, Frye, Fuller, Glover, Goodin, Hamilton (Ind.), Haralson, Hartzell, Hatcher, Hayward, Hendee, Henderson, Hewitt (Ala.), Hill, Hoye, Holman, Hopkins, Hoskins, Hubbell, Hurd, Hurlburt, Hyman, Jenks, Jones (N. H.), Joyce, Kasson, Kelly, Ketcham, Kimball, Landers (Ind.), Landers (Conn.), Lawrence, Le Moyne, Levy, Lynch, Mackey (Pa.), Maish, McCrary, McDill, McFarland, McMahon, Metcalfe, Miller, Monroe, Morgan, Morrison, Mutchler, Oliver, O'Neill, Page, Payne, Phillips (Mo.), Phillips (Kan.), Poppleton, Potter, Pratt, Rainey, Randall, Rea, John Reilley, Rice, Rollins (Pa.), Rollins (N. C.), Robinson, Rusk, Sampson, Savage, Sayler, Sheakley, Simonton, Smalls, Smith (Pa.), Southard, Springer, Strait, Stenger, Stone, Teese, Townsend (Pa.), Tufts, Turney, Van Vorhees, Vance (N. C.), Wait, Waldron, Walker (N. Y.), Wallace (S. C.), Wallace (Pa.), Walsh, White, Whiting, Wike, Willard, Williams (Wis.), Wilson (Ind.), Williams (Mich.), Williams (Min.), Wood (Pa.), and Yeates.

Of the gentlemen above recorded, 74, or more than one-half, were Democrats.

THE REPUBLICAN SENATE POSTPONES THE BILL.

The bill thus passed through the House, and was sent to the Senate. It was reported back on June 26th, and placed on the calendar. Attempts were repeatedly made to get the bill up, but without success. Whenever the motion was made to consider the subject, there was always enough votes against it to prevent action. The last attempt to take it up was made August 11, 1876, but the motion was defeated, as usual (*see Record, Part* 6, 44*th Cong.*, 1*st. sess., p.* 5434).

That was the last heard of the bill. It was indefinitely postponed, which was an indirect way of killing it.

That which the Democratic House had cheerfully passed, the Republican Senate, with all its professed love for the soldier, deliberately killed.

TIME FOR FILING BOUNTY CLAIMS EXTENDED.

The time for filing claims for additional bounty under the act of July 28th, 1866, expired by limitation on the 30th day of January, 1875. In February, 1876, a bill was reported from a committee of the Democratic House to extend the time until the 1st day of July, 1880. The bill further provided that all claims for such bounty filed in the proper department after the 30th day of January, 1875, and before the passage of this act, should be regarded as having been filled in due time, and should be considered and decided without refiling. The bill promptly passed the House (*Record, Part* 2, 44*th Cong.*, 1*st sess., p.* 1117).

ARREARS OF PENSIONS.

In the Forty-fourth Congress a large number of bills for arrears of pensions were introduced and referred. They were placed in the hands of that gallant soldier from Ohio, General A. V. Rice. Out of all the bills referred he formulated a general bill and reported it on March 22d, 1876. At his suggestion the bill was made a special order.

HOW REPUBLICANS FOUGHT IT.

On August 1st General Rice moved to go into committee of the whole for the purpose of taking up the bill. The Republicans endeavored to defeat the motion by indirection and by a resort to parliamentary expedients. Had they been in favor of the bill they could have helped to pass it by simply withholding their objections.

Anything can be done in the House by unanimous consent; but they chose to adopt a different course.

Mr. Sampson, of Iowa, was the first to interpose an objection. He said:

"I understand the motion of the gentleman from Ohio is, that the House now resolve itself into committee of the whole on the state of the Union for the purpose of considering a special bill.

"The Speaker *pro tem.* (Mr. Sayler:) That is so.

"Mr. Sampson: Can that be done? Must not all bills be taken up in their order when the House resolves itself into committee of the whole on the state of the Union?

"The Speaker *pro tem.:* The parliamentary motion is to go into committee of the whole on the state of the Union. That motion is in order and the rules may be suspended for that purpose by a majority vote. The Chair is informed it has been the custom to go into committee of the whole on the state of the Union for a certain purpose, and to antagonize against that other purposes, and to settle the question prior to going into committee of the whole.

"Mr. Hoar: That motion extends only to appropriation bills. A special motion to go into committee of the whole on an appropriation bill is in order. But, sir, all other bills in the committee of the whole must be taken up in their order on the calendar and laid aside one by one.

"Mr. Rice: It has been the practice so far as I have observed during this session to go into committee of the whole on bills specially indicated. I wish to say the usage has been during this session, at least, in accordance with the motion I have made."

It will be observed that, while General Rice wanted to go into committee on the bill of the greatest importance to the Union soldier, and while the Democratic Speaker *pro tem* wanted to assist him in the accomplishment of that object, prominent leaders of the Republican party, insisted upon a strict application of the rule as against the soldiers' interests.

General Rice insisted upon his motion and the House went into committee. The rule requiring bills to be taken up in their order was rigidly insisted upon, and before the arrears bill could be reached the committee was found without a quorum and had to rise. (*Record, vol.* 5, *part* 6, 1*st sess.*, 44*th Cong.*, *pp.* 5054 *and* 5055.)

MORE FACTIOUS OPPOSITION.

On the following day, August 2d, General Rice tried to push the bill forward again. He succeeded in getting it into Committee of the Whole, but the entire time was again occupied in discussing the order of business, gentlemen insisting that the bills on the calendar be taken up in their order. (*Ibid, pp.* 5084, 5085.)

The opposition was so determined that the bill could not be reached again at that session of Congress. It might have been passed then if the Republicans had not made the point about taking it out of its order.

THE DEMOCRATIC HOUSE ACTS, THE REPUBLICAN SENATE REFUSES.

On March 3d, 1877, at the second session of the Forty-fourth Congress, the bill was passed under a suspension of the rules by the Democratic House. The same day the bill went to the Republican Senate and there it slept the sleep of death in the Republican household—lost in the house of its professed friends.

THE BILL OF 1878.

On June 19th, 1878, the Democratic House passed another Arrears of Pension Bill. This was in the Forth-fifth Congress. It passed by a vote of 164 to 61. The bill was not exactly in the form in which General Rice and the majority of the Pension Committee wanted to have it. The bill of the committee proposed to repeal section 4716 of the Revised Statutes, which was as follows:

"No money on account of pensions shall be paid to any person, or to the widow, children or heirs of any person, who in any manner voluntarily engaged in, or aided or abetted the late rebellion against the authority of the United States."

The purpose of this repeal was to restore to the rolls the pensioners of the war of 1812 and other wars, whose names had been stricken therefrom for disloyalty. Notwithstanding the refusal of the Republicans to permit this clause to be repealed, the Southern Democrats did not on that account withhold their votes from the arrears bill. They gave it a cordial support for they had determined to do justice to the Union soldier, although the Republicans refused to act in an equally just spirit toward the veterans of 1812.

When the bill went to the Senate it was fought for some time. Action was not reached upon it in that body until the next session on January 16th, 1879. It passed on the 18th of that month after a good deal of opposition and after several attempts had been made to amend it, so that it would have to be sent back to the House.

The soldiers are indebted for the arrears bill to the energy, in their behalf, of the Democratic majority in the House of Representatives.

THE APPROPRIATION UNDER THE BILL.

The bill had been passed only a few days when the Appropriation Committee of the Democratic House brought in and passed the following bill. It will be observed that they were not only prompt to raise the money to pay the pensions, but they included clauses construing certain clauses of the arrears act.

"An act making appropriations for the payment of the arrears of pensions granted by act of Congress approved January 25th, eighteen hundred and seventy-nine, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that there be and hereby is appropriated out of any money in the treasury not otherwise appropriated, the following sums, namely: For the arrears of pensions due on claims in which the pensions were allowed prior to January 25th, eighteen hundred and seventy-nine, twenty-five million dollars; the amounts paid out respectively for army and navy pensions to be accounted for separately to the proper accounting officers of the Treasury Department. For pensions for army and navy invalids, widows, minors, and dependent relatives for the fiscal year ending June thirtieth, eighteen hundred and seventy-nine, one million eight hundred thousand dollars in addition to the amounts heretofore appropriated for those purposes, the amounts paid out on account of army and navy pensions respectively to be accounted for separately to the proper accounting officers of the Treasury Department. For temporary clerks in the Pension Office and for furniture, rent of additional rooms and other contingencies fifty-two thousand two hundred dollars in addition to the appropriations which have been or shall be made under other acts, the same to be available until June thirtieth, eighteen hundred and eighty: Provided, That no more than three tuousand five hundred dollars shall be used for furniture, contingencies and rent.

"The pension agents shall receive for their services and expenses in paying the arrears upon pensions allowed previous to January twenty-fifth, eighteen hundred and seventy-nine, including postage on the vouchers and checks sent to the pensioner, thirty cents for each payment; and the sum of fifteen thousand dollars, or so much thereof as may be necessary, is hereby appropriated for the payment of the same.

"That the rate at which the arrears of invalid pensions shall be allowed and computed in the cases which have been or shall hereafter be allowed shall be graded according to the degree of the pensioner's disability from time to time and the provisions of the pension laws in force over the period for which the arrears shall be computed.

"That section one of the act of January twenty-fifth, eighteen hundred and seventy-nine, granting arrears of pensions shall be construed to extend to and include pensions on account of soldiers who were enlisted or drafted for the service in the war of the rebellion, but died or incurred disability from a cause originating after the cessation of hostilities; and before being mustered out: Provided, That in no case shall arrears of pensions be allowed and paid from a time prior to the date of actual disability.

"Sec. 2. All pensions which have been, or which may hereafter be, granted in consequence of death occurring from a cause which originated in the service since the fourth day of March, eighteen hundred and sixty-one, or in consequence of wounds or injuries received or disease contracted since that date shall commence from the death or discharge of the person on whose account the claim has been or is hereafter granted, if the disability occurred prior to discharge, and if such disability occurred after the discharge then from the date of actual disability or from the termination of the right of party having prior title to such pension: Provided, The application for such pension has been or is hereafter filed with the Commissioner of Pensions prior to the first day of July, eighteen hundred and eighty, otherwise the pension shall commence from the date of filing the application; but the limitation herein prescribed shall not apply to claims by or in behalf of insane persons and children under sixteen years of age.

"Sec. 3. Section forty-seven hundred and nine of the Revised Statutes is hereby repealed.

"Approved March 3, 1879."

THE REPUBLICAN OUTRAGE ON THE SOLDIERS OF 1812.

There is no darker blot on legislation than the action of the Republicans in Congress with regard to the soldiers of the war of 1812, and their widows and orphans. Shortly after the war of the rebellion broke out, the Republicans struck all those people who resided in the South from the pension rolls. It was just and right to do so at the time, because the United States could not send money to the South during flagrant war. But after the war was over, and when all the States had been readmitted to their places in the Union, there was no justification for withholding from these old veterans the money which they earned in defence of the flag of the whole country. In the Forty-fourth Congress, General Hunter, of Virginia, was Chairman of the Committee on Revolutionary Pensions of the War of 1812. He had for his colleagues on the committee such men as James Phelps of Connecticut, Frank Hurd of Ohio, Martin J. Townsend of New York, Samuel A. Dollins of New Jersey, and Thomas J. Henderson of Illinois. On March 3d, 1876, by direction of his committee, he reported a bill to amend the laws granting pensions to the soldiers and sailors of the war of 1812. The bill proposed to restore to the rolls the names of the pensioners who had been stricken therefrom for disloyalty, and the widows and dependent children of such pensioners. The bill also provided that the pensions should commence after the close of the civil war, in 1865. It was not proposed to pay them for any time during the war, when they were supposed to have sympathized with the South. In the course of the discussion of the bill attention was called to the fact that from the lapse of time from the war of 1812 until the beginning of the war of the Rebellion, these old men could not have possibly participated in the latter. Nevertheless, the Republicans opposed the bill. Congressman Conger of Michigan was a leading spirit in opposition. He moved to so amend the bill as to make its pensions take effect at the date of its passage, and he added "that is time enough to pension men who have been disloyal." Mr. Reagan and other gentlemen again called attention to the fact that from the very necessities of the case, these veterans of 1812 were so old in 1861 that they could not have participated actively in the rebellion.

Mr. Conger and his friends did not succeed in striking out the clause.

FIGHTING WIDOWS AND ORPHANS.

There was another section of the bill which excited the ire of the Republicans. It was not proposed to give arrears of pay to the old soldiers who had sympathized with their children and grandchildren. But it was proposed to give arrears to the widows and heirs of these old soldiers. Then the Republicans came to the front again to fight the widows and orphans.

To the credit of the American Congress be it said, the motion to strike out the section was rejected by a vote of 92 yeas to 102 nays.

The Democratic House had no idea of fighting widows and orphans.

Here are the names of some of the Republicans who voted for that infamous proposition.

Baker, of Indiana; Ballou, of Rhode Island; Burchard, of Illinois now Director of the Mint; Cannon, of Illinois; Conger, of Michigan; Dunnell, of Minnesota; Fort, of Illinois; Foster, of Ohio, now Republican Governor of that State; Frye, of Maine; Hoar, of Massachusetts; Hurlburt, of Illinois; Joyce, of Vermont; Kasson, of Iowa; O'Neill, of Pennsylvania; Page, of California; Rusk, of Wisconsin; Wheeler, of New York, and others not so prominent in Republican circles.

All of the negative votes, with three exceptions, were Democrats.

After a further fight upon the question of paying arrearages, the bill was passed (*Record, vol.* 4, *part* 3, 44*th Cong.*, 1*st sess.*, *pp.* 2167–70.)

THE REPUBLICAN SENATE KILLS THE BILL.

The bill went to the Republican Senate. It was referred to a committee, reported back with amendments, the report was ordered printed, and that was the last of it. The Republican Senate did not care to pass the bill. It was a matter of indifference to them whether the old soldiers or their widows were paid or not.

THE BILL OF 1878.

In the Forty-fifth Congress, bills to restore these old veterans were introduced in both Houses. On the 19th of February, 1878, Mr. Withers called the bill up in the Senate. Senator Edmunds and other Republicans opposed the restoration of the veterans to the rolls. Mr. Maxey made a speech in which he administered a merited rebuke, and showed how absolutely indefensible and outrageous was the position of the Republican party on this question. He said:

"It seems to me, Mr. President, that when the laws of this country, under the operation of the Fourteenth amendment, justify, and wisely so, the admission to this body and to the highest offices in the gift of the people, to men like myself who openly, actively, participated in the late rebellion, it is, to say the least of it, something singular that these few old men, now rapidly passing to their graves, should be deprived of the poor pittance of a pension of eight dollars per month for their services 63 years ago, in a war with Great Britain, simply because, forsooth, their sympathies were with their children and grandchildren who participated in the late war; for these old people were too old to have taken an active part in it.

"A broad and liberal statesmanship was laid down by the late President, General Grant, in the message to Congress of December 7th, 1874, in respect to the soldiers of 1812–15, living in the South, and provided for by the bill now before the Senate."

GRANT'S REBUKE TO THE REPUBLICANS.

"In that message General Grant said: 'The act of Congress providing an oath which pensioners must subscribe to, before drawing their pensions, cuts off from this bounty a few survivors of the war of 1812 residing in the Southern States. I recommend the restoration of this bounty to all such. The number of persons whose names would thus be restored to the list of pensioners is not large. They are all old persons, who could have taken no part in the rebellion, and the services for which they were awarded pensions were in defense of the whole country.'

"These, continued Mr. Maxey, were the utterances of the President, a man who as General-in-Chief of the armies of the United States brought the war to a close. If such a man, occupying the exalted position that he did, and who was lifted to the Presidency of the United States by reason of the military service he had rendered his country; if this man, who more than any other one man, perhaps, who occupied a high position, had confused the so-called rebels and brought the war to a close; if such a man could utter such sentiments—it does seem to me that the broad statesmanship which he annunciated in the passages I have quoted, ought to prevail in this body, and to induce us to secure to these old men this pittance, for the remnant of their days (*Record*, *Vol.* 7, *Part* 2, *45th Cong.*, *2d sess.*, *p.* 1161)."

LEADING REPUBLICANS OPPOSE THE BILL.

The bill was opposed by Senators Edmunds, Anthony, Morrill and others. But Mr. Maxey's speech and the quotation from General Grant's message seemed to have had some effect, for the motion to strike out the clause authorizing the restoration of the old pensioners to the rolls was defeated by a vote of 50 to 7. The seven Senators who voted to strike it out were Anthony, Cameron of Wisconsin, Edmunds, McMillan, Morrill, Oglesby and Teller.

The bill was then passed, the same seven Republican Senators voting against it (*Ibid.*, *p.* 1169).

THE BILL IN THE HOUSE.

The bill was taken up in the House on March 4th, 1878. It was reached in the

course of business on the Speaker's table. Mr. Stephens moved that it be put upon its passage just as it came from the Senate. Mr. Joyce and other Republicans wanted to move to amend so as to exclude all who had participated in the rebellion. The motion was decided not in order, pending Mr. Stephens' demand for the previous question on the passage of the bill. The previous question was seconded and the bill was passed by a vote of 218 to 20. All the Democrats voted in the affirmative. The twenty Republicans who voted against these old and decrepit men were Baker, Hunter and Robinson, of Indiana; Brewer, Keightley, McGowan, Stone and Willits, of Michigan; Cox and Danford, of Ohio; Dennison and Joyce, of Vermont; Dwight, Hungerford and James, of New York; Hayes and Tipton, of Illinois; Hazelton and Humphrey, of Wisconsin, and Killinger, of Pennsylvania (*Ibid.*, *p.* 1465).

In spite of Republican opposition, the old soldiers of 1812 rejoice to-day, and they have the gratification of knowing that they are pensioned for the remainder of their days by a unanimous Democratic vote.

AN EFFORT TO PROTECT SOLDIERS FROM SHARPERS.

On January 25, 1876, Mr. Jenks, a Democratic Representative from Pennsylvania, reported from the Committee on Invalid Pensions a bill supplementary to the several acts relating to pensions and bounty lands. Under the law as it then existed, land warrants were regarded as personal property. Consequently, they not unfrequently got into the hands of sharpers, who sold them, and thereby the soldiers were swindled. For the purpose of protecting the soldiers the Pension Committee reported a bill declaring land warrants issued to soldiers to be real instead of personal property. The object was to place the same directly under the control of the courts, because when the warrants were made realty the administrator of a soldier's estate could not dispose of the warrant without an order from the Orphan's Court. The law was framed entirely for the protection of the soldier and his heirs. The bill was opposed in the House, but it finally passed by Democratic votes (*Record*, *vol.* 4, *part* 1, 1*st sess.*, 44*th Cong.*, *p.* 618).

THE REPUBLICAN SENATE DEFEATS THE BILL.

The bill went to the Senate, where it was referred to the Committee on Invalid Pensions. It was there pigeon-holed, and that was the last of it. The bill was based upon petitions that had come from a large number of soldiers.

The Democrats in the House did all in their power to meet the wishes of the petitioners.

The Republican Senate paid no attention to the petitions.

ARTIFICIAL LIMBS FOR SOLDIERS—A REPUBLICAN WRONG RIGHTED.

The Republicans in the height of their power never made adequate provision for the furnishing of artificial limbs to soldiers, sailors, and others. The Democrats of the Forty-fourth Congress took this subject up. The Committee on Invalid Pensions was presided over in this case by George A. Jenks of Pennsylvania. It had among others for members George W. Hewitt of Alabama, Jesse J. Yates of South Carolina, and Haywood Y. Riddle of Tennessee, three ex-Confederates. These gentlemen wanted to have a bill passed to pension the veterans of the Mexican war. The Republicans voted against the bill at every chance. But that did not deter these gentlemen. They endeavored to do all that was just for the Union soldier.

The Republicans said in almost so many words, "We will not do anything for the Mexican veterans who gave an empire to the Union, because the majority of them live in the South."

The Democrats, and Southern Democrats at that, said, "We will do justice to the Union soldier, although they fought us in four years of war."

And they did equal and exact justice.

Under Republican rule, the maimed and wounded soldiers of the Union army had been compelled to purchase their artificial limbs and other appliances at such prices as the dealers chose to demand.

The Democrats, including the "Confederate Brigadiers," said, that is not right. Hence, they reported a bill in June, 1876, to regulate the issue of artificial limbs.

The first section of the bill provided, that every person who in the line of his duty in the military or naval service of the United States shall have lost a limb, or sustained bodily injuries, depriving him of the use of any of his limbs, shall receive once every five years an artificial limb or appliance, under such regulations as the surgeon-general of the army may prescribe; and the period of five years shall be held to commence with the filing of the application after the 17th day of January, in the year 1870.

The last clause of the act is significant. The Democrats did not only what the Republicans should have done long before, but they dated the law back, so that the soldiers should not suffer in their pockets, in consequence of the indifference of the Republican party to their interests.

But the Democrats went further. They believed that the government of the United States owed a debt to the soldiers, and that it should be generous. So they provided in the same bill, that the necessary transportation to have artificial limbs fitted shall be furnished by the Quartermaster-General of the Army, and an appropriation was made for that purpose.

There was not the slightest trouble in passing the bill through the Democratic House. It went to the Senate. The Senate was Republican. Senator Ingalls, of Kansas, was Chairman of the Committee on Pensions. The very essence of the bill was taken out by an amendment offered by Mr. Ingalls himself. It deprived the soldier of the very advantage which the Democratic House insisted he should have. It was fought in the Senate and substantially destroyed. The Democratic House insisted upon its law for the benefit of the Union soldier. A committee of conference was ordered on the disagreeing votes. The Democratic House finally made the Senate yield, and the law of August 15th, 1876, became a part of the statutes of the land through the obstinacy of the Democratic House in the interest of the Union soldier (*see Record, vol.* 4, *part* 5, 1*st sess.*, 44*th Cong.*, *p.* 4182, *&c.*)

A CONTRAST.

Contrast the above liberal act with the following, which the Republicans passed when they had majorities in both Houses:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all persons who are now entitled to pensions under existing laws, and who have lost either an arm at or above the elbow, or a leg at or above the knee, shall be rated in the second class, and shall receive twenty-four dollars per month: *Provided*, That no artificial limbs, or commutation therefor, shall be furnished to such persons as shall be entitled to pensions under this act.

SEC. 2. That this act shall take effect from and after the fourth day of June, eighteen hundred and seventy-four. *Approved June* 18, 1874.

TOTALLY DISABLED SOLDIERS RELIEVED.

On May 24, 1878, the House passed a bill to increase the pensions of certain pensioned soldiers and sailors, who had lost either both their hands or both their feet, or the sight of both eyes, in the service of the country. It provided that the pensions of such soldiers and sailors should be increased to $72 per month. The pension

allowed at the time was a little over $30 only (*Record, part* 4, 45*th Cong.*, 2*d sess.*, *p.* 3758).

The bill gave them the pension absolutely without conditions or reservation. It went to the Republican Senate, where the Committee on Pensions proposed to attach conditions to it. They recommended the striking out of all after the enacting clause and to insert as follows:

THE SENATE ATTEMPTS TO IMPOSE CONDITIONS.

That all persons who, by wounds received or diseases incurred while in the military or naval service of the United States, and in the line of duty, have lost both arms or both feet, or the sight of both eyes, or the sight of one eye, the sight of the other having been previously lost; or who is or shall hereafter become so totally or permanently helpless, from wounds or diseases so received, as to require the regular personal aid or attendance of another person, shall be entitled to a pension of $72 per month, which shall be in lieu of the pensions now granted to such persons.

Here was a condition precedent that certain persons should have the attendance of another person before the increase should be available. But the committee went a step further and proposed to add the following proviso to the bill:

Provided, That this act shall not apply to those who have no families dependent upon them for support; nor to those who are not, in the judgment of the Commissioner of Pensions, in a necessitous condition; nor to any person during the time he may be in the civil service and employment of the government of the United States.

Let all soldiers note the difference in the two bills. That of the Democratic House proposed to help the pensioner in a plain, straightforward, direct way. That of the Republican Senate hampered it with conditions; left much to the discretion of the Commissioner of Pensions, and proposed to repeat what they had done immediately after the war, and say that employment in the civil service should be a bar to a pension, no matter how much suffering the soldier might have endured.

The proposed Senate amendment was rejected, and the bill was passed just as it came from the House (*see Record, part* 5, 45*th Cong.*, 2*d sess.*, *p.* 4588).

STILL FURTHER RELIEF GRANTED.

Another bill, passed on May 24, 1878, increased the pensions of all soldiers who had suffered amputation of their leg at the hip joint to $37.50 per month. It went through the House the same day it was reported (*Record, part* 4, 45*th Cong.*, 2*d sess.*, *p.* 3758).

There were very few of this class on the roll. Hence the passage of the bill could not add very largely to the pension account. But the Republican Senate let the bill lay for nearly one year, and only took it up and passed it about the time the Forty-fifth Congress was expiring, and when the Republican majority was about to give place to a Democratic majority. It passed March 3d, 1879.

RELIEF BILLS PASSED BY THE HOUSE AND REJECTED BY THE SENATE.

On May 23, 1878, Mr. Riddle, of Tennessee, reported a bill from the Pension Committee to increase pensions in certain other cases. It amended the pension act of 1874 so as to extend its provisions to all persons who had lost an arm below the elbow, or so near the elbow, or a leg below the knee, or so near the knee, as to destroy the use of the elbow or the knee-joint, and rated such persons in the second class and to receive a pension of $24 per month.

The bill passed the Democratic House without the slightest opposition (*see Record, part* 4, 45*th Cong.*, 2*d sess.*, *p.* 3731).

The bill went to the Republican Senate, and that body demonstrated its regard for the soldiers' interests by sending it to the Committee on Pensions, where it was pigeon-holed and forgotten. It was never heard of more.

In looking over the laws, the Democrats found that the Republicans had neglected

a class of pensioners who were suffering very seriously. They were the men who had lost one hand or one foot, or one arm or one leg. The Republicans said $24 a month is enough for this class of pensioners. The Democrats, in the House, said it is not enough; these men shall have $36 a month. The bill passed the House, (*see Record, 1st sess., 44th Cong., vol. 4, part 1, p. 619*).

It went to the Republican Senate. It was referred to the Committee on Invalid Pensions in that body, and it was never heard of again.

REPUBLICAN AND DEMOCRATIC LAWS CONTRASTED.

The object of the Democrats in introducing and trying to pass the alm bills was to remedy glaring defects in Republican legislation.

In 1872, when both Houses were under Republican control completely, they passed the following general law:

AN ACT increasing the rates of pension to certain persons therein described.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act entitled "An act supplementary to the several acts relating to pensions," approved June sixth, eighteen hundred and sixty-six, be so amended that from and after the passage of this act all persons entitled by law to a less pension than hereinafter specified, who, while in the military or naval service of the United States, and in line of duty, shall have lost the sight of both eyes, or shall have lost both hands, or shall have lost both feet, or been permanently and totally disabled in the same, or otherwise so permanently and totally disabled as to render them utterly helpless, or so nearly so as to require the constant personal aid and attendance of another person, shall be entitled to a pension of thirty-one dollars and twenty-five cents per month; and all persons who, under like circumstances, shall have lost one hand and one foot, or been totally and permanently disabled in the same, or otherwise so disabled as to be incapacitated for performing any manual labor, but not so much as to require constant personal aid and attendance, shall be entitled to a pension of twenty-four dollars per month; and all persons who, under like circumstances, shall have lost one hand or one foot, or been totally and permanently disabled in the same, or otherwise so disabled as to render their incapacity to perform manual labor equivalent to the loss of a hand or foot, shall be entitled to a pension of eighteen dollars per month, from and after the fourth day of June, eighteen hundred and seventy-two. Approved June 8, 1872.

THE LAWS PASSED BY DEMOCRATS.

Contrast the above general law with the following for some of the same classes of disability, passed after the Democrats obtained control of the House of Representatives. They at once increased pensions where it was deserved.

AN ACT to increase the pension of certain pensioned soldiers and sailors who have lost both their hands or both their feet or the sight of both eyes in the service of the country.

Whereas it is apparent that the present pension paid to soldiers and sailors who have lost both their hands or both their feet in the service of the country is greatly inadequate to the support of such as have families; Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That on and after the passage of this act, all soldiers and sailors who have lost either both their hands or both their feet, or the sight of both eyes, in the service of the United States, shall receive, in lieu of all pensions now paid them by the government of the United States, and there shall be paid to them, in the same manner as pensions are now paid to such persons, the sum of seventy-two dollars per month. Approved June 17, 1878.

The next year they went a step further and passed the following:

AN ACT for the relief of soldiers and sailors becoming totally blind in the service of the country.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act of June 17th, eighteen hundred and seventy-eight, entitled "An act to increase the pensions of certain soldiers and sailors who have lost both their hands or both their feet, or the sight of both eyes, in the service of the country," be so construed as to include all soldiers and sailors who have become totally blind from causes occurring in the service of the United States. Approved March 3, 1879.

AN ACT to allow a pension of thirty-six dollars per month to soldiers who have lost both an arm and a leg.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all persons who, while in the military or naval service of the United States, and in the line of duty, shall have lost one hand and one foot, or been totally and permanently disabled in both, shall be entitled to a pension for each of such disabilities, and at such a rate as is provided for by the provisions of the existing laws for each disability: *Provided*, that this act shall not be so construed as to reduce pensions in any case. Approved February 28, 1877.

AN ACT for the relief of certain pensioners.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all pensioners now on the pension rolls, or who may hereafter be placed thereon, for amputation of either leg at the hip-joint, shall receive a pension at the rate of thirty-seven dollars and fifty cents per month from the date of the approval of this act. Approved March 3, 1879.

These acts leave no doubt as to which party is the best friend of the soldier.

THE THREE MONTH'S EXTRA PAY TO MEXICAN SOLDIERS.

On the 17th day of January, 1878, Gen. Banning, from the Committee on Military Affairs, reported a bill to pay the officers and men of the Mexican war the three months' extra pay allowed them by an act passed in 1848, after the close of the war. Some of the officers and soldiers had not taken the pay at the time, and the right to do so had lapsed. The bill was to enable those to take it who had previously neglected to do so. The bill passed the House after a very brief explanation (*see Record, part* 1, 45*th Cong.*, 2*d sess.*, *p.* 386).

It was taken up in the Senate on April 18, 1878, and Mr. Maxey, who had reported it, asked for immediate action. Mr. Edmunds objected, apparently for no other reason than that the bill had something to do with the Mexican soldiers. In consequence of this objection the bill was not again reached until January 15th, 1879, in third session of the Forty-fifth Congress. The Senate committee had amended the bill, so as to include in its provisions also the officers, petty officers, seamen, and marines of the United States navy employed in the prosecution of the said war.

Mr. Edmunds, upon whose objection the bill went over before, then offered an amendment to grant also three months' extra pay to the soldiers who had served in the suppression of the rebellion. As this amendment was in no sense germane to the bill, its offer could not have been intended for any purpose but to embarrass it, and it was so construed by the friends of the bill. It so complicated matters that the bill again went over (*Record, part* 1, 3*d sess.*, 45*th Cong.*, *pp.* 451 *and* 452).

It came up again on the 8th of February, and it was then passed, but not without opposition on the part of Senators Sargent and Edmunds and other Republicans. They insisted that the pension rolls were largely increasing year by year; but, underlying all their opposition, was a manifest indisposition to pass the bill, because it would help the veterans of Mexico, the majority of whom resided in the South.

Mr. Maxey administered a pointed but well-deserved rebuke to this spirit of sectionalism by remarking that he and others who wore the gray in the late unpleasantness had cheerfully voted for pensions to the Union soldiers, because they believed it was right to do so, and they thought it right also to vote something to the old veterans who fought their country's battles in Mexico (*Record, part* 2, 3*d sess.*, 45*th Cong.*, *p.* 1121).

The House subsequently concurred in the Senate amendment and the bill was passed, but the veterans who got the pay are under no obligations to the Republicans of either house for it.

SOLDIERS PROTECTED FROM EXORBITANT PENSION FEES.

In the second session of the Forty-fifth Congress, the House Committee of Pensions, with the view of protecting the soldiers from the pension claim agents, reported a bill fixing by law the fees they were authorized to charge. On motion of Mr. Fuller of Indiana, a Democrat, the charge was limited to ten dollars. The bill passed with but slight opposition in the House. It went to the Senate, where it was debated some time, Messrs. Conkling, Christiancy, Hoar, Dorsey, and other Republicans arguing in favor of allowing the claim agents a larger fee. The bill passed, however, by a vote of 41 to 8, and more than one-half of those voting in the affirmative were Democrats.

Those voting yea were: Messrs. Allison, Anthony, Bailey, Barnum, Bayard, Beck, Booth, Bruce Burnside, Butler, Cameron, (Wis.,) Cockrell, Conover, Dawes, Eaton, Eustis, Gordon, Grover, Harris, Hoar, Ingalls, Johnston, Jones, (Fla.,) Jones, (Nev.,) Kellogg, Kernan, Kirkwood, Lamar, McCreery, McMillan, Maxey, Merrill, Sargent, Saulsbury, Saunders, Teller, Voorhees, Wadleigh, Wallace, Whyte, and Withers—41.

Of the above 22 are Democrats. The Senate at the time had a clear Republican majority.

Of the negative vote 7 were Republicans and only 1 a Democrat.

Those voting were: Messrs. Christiancy, Coke, Conkling, Dorsey, Hoar, Mitchell, Paddock, and Spencer.

The Democrats in this, as in other cases, indicate their regard for the interest of the soldier (*see Record, part* 5, 45*th Cong.*, 2*d sess.*, *p.* 4842).

THE LAW FOR FILING CLAIMS FOR LOST HORSES AND EQUIPMENTS.

Mr. De Bolt, a Democrat from Missouri, introduced a bill in the Forty-fourth Congress to revive the law and extend the time for filing claims for horses and equipments lost by officers and enlisted men in the service of the United States. The bill was reported back promptly from the Committee on Military Affairs by General Cook of Georgia. It proposed to repeal the limitations which had been put on by the Republicans. The bill was general in its application and was intended to cover a large number of claims. It was liberal and provided that all claims for horses, or other property lost or destroyed in the military service of the United States, filed in the proper department after the first day of January, 1876, or before the passage of this act, shall be deemed to have been filed in due time, and shall be considered and decided without refiling.

The bill promptly passed the House (*Record, part* 5, 45*th Cong.*, 2*d sess.*, *p.* 4161).

When it went to the Republican Senate, what fate did it meet? It "slept the sleep of death." Such was Republican love for the Union officer and soldier.

The above cases are cited to show that in every instance where the real interest of the soldier was at stake, the Democrats were his friends, while Republicans threw impediments in the way of relief.

DEMOCRATIC AND REPUBLICAN RECORDS CONTRASTED.

The record of the Democratic majority of the House of Representatives since the commencement of the Forty-fourth Congress; that of the Democratic majority of the Senate, since the commencement of the Forty-sixth Congress, so far as relates to the soldiers, will bear the closest scrutiny. The verdict of every impartial mind, after the scrutiny, must be that the interests of the soldiers have been guarded more carefully, that more has been done for them in the brief time that the Democrats have been in power than during all the long years of Republican domination in Congress. The whole Democratic party has been charged with hostility to the Union soldier, while the Republicans, with characteristic impudence and arrogance, have claimed credit for themselves as the special friends of the gallant men who periled their lives for the Union cause.

Compare the record of the two parties, and it will be found that the Democrats have been practical, while the Republicans have been theorizing. The Republicans promised; the Democrats performed.

It is not only in the matter of bounty and general pension laws that the Republicans have been derelict. They have falsified their professions that the soldier shall be preferred in filling the civil offices under the Government. Laws to this end were passed one day, only to be broken or to be conveniently forgotten the next.

HOW SECTION 1754 HAS BEEN VIOLATED.

In 1865, just after the close of the war, the following law was passed:

Persons honorably discharged from the military or naval service, by reason of disability resulting from wounds or sickness incurred in the line of duty, shall be preferred for appointments to civil offices, provided they are found to possess the business capacity necessary for the proper discharge of the duties of such offices (*sec.* 1754, *Revised Statutes*).

In grateful recognition of the services, sacrifices and sufferings of persons honorably discharged from the military and naval service of the country, by reason of wounds, disease, or the expiration of terms of enlistment, it is respectfully recomended to bankers, merchants, manufacturers, mechanics, farmers and persons engaged in industrial pursuits, to give them the preference for appointments to remunerative situations and employments (*sec.* 1755, *Revised Statutes*).

But, unfortunately for the poor soldier seeking employment, these laws were—

Like Dead Sea fruits which tempt the eye,
But turn to ashes on the lips.

Examine the shameful record. Let Union soldiers everywhere look around them and see how the Republican party has kept its pledges! They will not fail to realize that they have been mocked at by the politicians who professed to be their best friends.

The laws above quoted were passed as far back as the Thirty-eighth Congress when the Republicans had more than two-thirds in each branch. They soon became obsolete in practice. They were forgotten by Republican officials until the Democrats called attention to them.

THE DEMOCRATIC HOUSE RIGHTS THE WAY.

In the Forty-fifth Congress, the Committee on the Judiciary of the Democratic House of Representatives reported the following act:

An Act to enforce by appropriate legislation the will of the people in regard to the disabled soldiers of the late war.

Be it enacted, That whoever shall violate or set at naught any of the provisions of section 1754 of the Revised Statutes shall be punished by a fine not less than one hundred nor exceeding $5,000, and by imprisonment not less than one month nor exceeding two years.

In the discussion of the bill some members expressed the fear that section 1754 did not apply to a certain class of soldiers, namely, the Veteran Reserve Corps, and in order that there might be no doubt of the intention of Congress, the following additional section was added:

SECTION 2. Nothing in the first section of this act, or in section 1754 of the Revised Statutes, shall be so construed as to exclude from appointment to office any soldier who was disabled in the line of duty and honorably discharged, or the widows or daughters of the killed or disabled soldiers.

This act passed the Democratic House on June 10, 1878.

THE REPUBLICAN SENATE REFUSES TO ACT.

The Senate was at that time Republican. The bill was sent over to that body, when it was referred to the Judiciary Committee, and that was the last heard of it. Thus the pretended love of the Republicans for the Union soldier has always failed at some point. They neglected to enforce section 1754, and when the Democrats attempted to right a great wrong and compel the enforcement, the Republicans kicked the bill aside unceremoniously.

THE LAW NEVER REGARDED.

Let any one examine the record of Republican appointments, and he will find that the law has always been a dead letter. Take the city of Washington. Let any man go through the departments, and he will find that of the many thousand men in the employ of the Republican administration, a few only are disabled and crippled soldiers. The lusty politicians who never trained a gun on an enemy occupy the fat places. While the Republicans have thus ignored the duty imposed upon them by law, the Democratic majority in Congress gave ample proof that no reasonable measure for the relief of the Union soldier has suffered any neglect at their hands.

A SPECIMEN BRICK—THE RHODE ISLAND CASE.

An investigation recently made in the state of Rhode Island shows how much regard Federal officials had for the claims of the soldiers. The case is only an illustration of many others.

J. B. Green, Augustus Woodbury, and other honorably discharged soldiers and sailors of the United States and citizens of Rhode Island, in May, 1879, presented a memorial to Congress, alleging violations of sections 1754 and 1755 of the Revised Statutes, in relation to the appointment of wounded soldiers and sailors to civil offices. In their memorial the petitioners say:

"It is herein alleged that several honorably discharged soldiers have been within a short period dismissed from the custom-house of the Port of Providence, Rhode Island. Their places have been filled by civilians with one exception, and mainly by the relations of Hon. H. B. Anthony. Several of these deposed veterans are and were ready to submit to a competitive examination. This privilege was denied them.

"Gallant men, with dependent families, have been displaced to make room for mere striplings who were in swaddling clothes when these veterans were fighting the battles of their country; men whose sense of duty impelled them to the front in the late struggle are now forced to yield their well-earned places to men who were speculating in cotton or other merchandise during the late war. * * * Your honorable bodies are respectively asked to interfere in behalf of the parties aggrieved.

"Subjoined is the roster of the custom-house of the Port of Providence, Rhode Island; names of the civilians marked thus, ×

Cyrus Harris ×	$5,000	Joseph T. Reed ×	$1,095
Edward P. Burrows ×	3,000	D. M. Arnold	1,095
E. C. Ashley ×	1,800	J. R. Skinner, soldier	1,095
Nathan Goff, jr., soldier	1,600	B. C. Allen ×	900
Robert Perkins ×	1,095	William S. Chase, soldier	1,095
George W. Pettis, soldier	1,095	——, boatman ×	500
Master Burrows ×	1,095	E. C. Pomroy, soldier	1,095
J. E. Burrows, soldier	1,095		
Total			$22,655

"A glance at the above names and figures shows that the civilians far outnumber the veterans. The money paid to the civilians is twice that paid to the veterans."

The memorial was referred in the Senate to the Committee on Civil Service and Retrenchment. The committee was subsequently authorized to investigate the charges, and were further authorized to sit during the recess of Congress. Accordingly, Senators Butler, Beck, Wythe and Rollins met at Newport, in August, 1879, and there examined a large number of witnesses. They not only inquired into the charge that sections 1754 and 1755 had been violated, but also into allegations of the violations of the Civil Service rules made by the fraudulent administration.

The specific allegations and charges made in the memorial of the "discharged soldiers and sailors" were:

That sections 1754 and 1755 had not been obeyed, "especially in regard to appointments made for collections of customs dues at the district and Port of Providence;" that "the statutes have been violated, the rules of civil service reform have been disregarded, and nepotism has been a marked feature in the selection of civilians to fill the places of discharged veterans;" and that "for a long time the interference of Federal officers at the polls at town, city, and State elections has restrained men from the exercise of rights guaranteed by the Constitution."

THE LAW VIOLATED IN LETTER AND SPIRIT.

The Committee say in their report:

Your committee are of the opinion that the testimony shows beyond dispute that sections 1754 and 1755 have been violated in letter and in spirit in "the appointments made for collection of customs dues at the district and Port of Providence;" that "persons honorably discharged from the military and naval service, by reason of disability resulting from wounds or sickness incurred in the line of duty," have not "been preferred for appointments to civil offices;" but that, on the contrary, "honorably discharged soldiers," though not suffering "under disabilities from wounds or sickness incurred in the line of duty," were "wounded" in the line of duty and hon-

orably discharged after highly meritorious and gallant service during the war, have been removed, and their places filled by civilians wholly without a record of service in the army or navy.

Not only were these discharged soldiers thus supplanted, but it appears to your committee, from the evidence, entirely without proper cause, and in the face of the fact that "they were found to possess the business capacity necessary for the proper discharge of the duties of the offices" in which they were employed.

General James Shaw, Jr., the collector at the Port of Providence, was one of the officers removed. Mr. Cyrus Harris, who was never in the military or naval service, was appointed to succeed him. In response to the question of how long he was in the military service, Gen. Shaw testified as follows:

I entered the service the 26th of May, 1862; remained for three months; it was a three month's regiment; entered again the last of December, 1862, and was mustered out some time in July, 1863; that was a nine month's regiment. I was nearly eight months in it. I again entered the service in command of the Seventh United States Colored Troops in October of 1863, and remained until November, 1866. We were finally discharged at Baltimore, Md., November 16, 1866.

"Q. What rank had you when you were mustered out? A. Colonel and brevet brigadier-general."

The testimony shows that Shaw was removed because he refused to contribute himself or ask his subordinates to contribute to a forced political assessment. Of his case the committee say:

"It will not be doing justice in the case of General Shaw and others to say simply that 'they were found to possess the business capacity necessary for the proper discharge of their duties.'

"By the concurrent testimony of all parties—importers, merchants, public officials and employés—General Shaw 'possessed' the highest qualifications for the discharge of his duties as collector of the port of Providence, and appears to have had the esteem and confidence of officials, superiors in rank, and the entire commununity within the range of which his duties were performed.

"His military record was most honorable and meritorious, as presented to your committee, yet he was displaced for no other cause that your committe can discover—and an aged civilian politician appointed in his stead—than that he obeyed the Civil Service orders which had been promulgated by the head of his department, and refused to be assessed on the amount of his salary as a public officer for political purposes. If there was any other cause for his removal, it was not made to appear."

It thus appeared that a soldier was displaced because he refused to violate the Civil Service rules of his superior officers, the President of the United States and the Secretary of the Treasury. Mr. Cyrus Harris, who never saw a gun fired during the war, appears to have been appointed chiefly on account of his personal or political influence, to succeed Gen. James A. Shaw, who was a gallant soldier and a very efficient officer.

OTHER SOLDIERS KICKED OUT.

Maj. William H. Joyce was another soldier who was dismissed for no just cause. He was a foreign inspector, weigher, gauger and measurer at the Providence custom-house, and had acceptably filled the office for eight years. Here is his testimony with regard to his service in the war:

"William H. Joyce sworn and examined:

"By the Chairman: Q. What is your age? A. Forty-five last July.

"Q. Were you a soldier in the late war in the Union army? A. I was.

"Q. Be good enough to state in what capacity. A. I entered the service on the first call of the President for troops in 1861, in the First Regiment Rhode Island Detached Militia, under Colonel (now General) Burnside. Subsequently I was commissioned first lieutenant in the Seventh Rhode Island, promoted captain therein for gallantry at the battle of Fredericksburg, Va., and subsequently promoted major for gallant and meritorious services during the war.

"Q. Why were you discharged? A. By reason of the termination of the war and my services being no longer required.

"Q. When? A. June, 1865, I believe.

"Q. Honorably discharged? A. Yes, sir.

The hardship to which this soldier was subjected by being dismissed and having a civilian appointed in his place was brought out by the following testimony elicited by Senator Beck:

"By Mr. Beck: Q. I want you to state again your story as connectedly as you can. You are forty-five years of age, I understand? A. Yes, sir.

"Q. You have a wife and five children depending on you for support? A. Yes, sir.

"Q. State briefly your length of service in the war, the position you held, and the promotions made. A. I first entered as a private Company C, First Rhode Island Detached Militia; served the full term; was discharged by reason of expiration of term; re-entered the service as first lieutenant in the Seventh Rhode Island Volunteers; September 6, 1862, I was mustered in; was promoted captain in the December following—December 13, 1862—and subsequently promoted major.

"Q. You were promoted for gallant services, where? A. At the first battle of Fredericksburg, December 13, 1862.

"Q. And again promoted major for gallant and meritorious services? A. Yes, sir, that is embodied in my commission.

"Q. Those facts are set forth in your commission? A. Yes, sir.

"Q. And you served till the end of the war? A. Yes, sir.

"Q. Then you held two other positions, I understood you to say, which you did not name before? A. The first position I held on my return to civil life, I think, was assistant United States marshal for taking the census in 1870; the next position, I was appointed storekeeper in the internal revenue service. A short time after getting through with my duties as assistant marshal, while acting as storekeeper in this district—there was no particular duties for me to perform by reason of the distilleries to which I was assigned being closed up—the then internal revenue collector, Mr. Eames, deputized me as deputy collector, and I performed duty as such and collected the internal revenue taxes on North Providence, and in this city a portion of them.

"Q. Then you were appointed to the custom house? A. I resigned my position as storekeeper. I was actively engaged as storekeeper when I did resign to accept a position in the custom-house tendered me by Collector Shaw.

"Q. Was any fault found with you in the discharge of any of your duties either as a soldier or civilian? A. I never knew of any.

"Q. As either being dishonest or unfaithful or incompetent? A. I challenge the strictest scrutiny on that point.

"Q. And no complaint was made against you when you were discharged in May last? A. None. I inquired for the reasons, but the collector peremptorily declined to give any reasons.

"Q. You say your place was given to a man who had never served the country, that you know of; at least in the army? A. He could not have served; he was too young to serve at that time.

"Q. A single man? A. Yes, sir.

"Q. A former clerk of the collector? A. So I understand.

"Q. Who was himself a civilian during the war? A. Yes, sir."

(*Senate Report No. —, 46th Cong., 2d sess., p. 72.*)

Major Joyce, it appears, was also unwilling to contribute to a forced assessment, aad consequently his official head rolled into the basket.

Capt. HENRY A. GREENE, a coastwise inspector, was also dismissed as soon as Cyrus Harris took possession of the office of collector. There was no charge of dereliction of duty against him. His place was wanted for some one else. Of these cases of Joyce and Greene, the committee say in their report:

"What has heretofore been said in General Shaw's case is largely true of Major Joyce and Captain Greene, who were likewise honorably discharged soldiers, and, moreover, competent and faithful pulic servants. They, too, were removed without proper cause, and a civilian who had done no military service during the war was appointed in the place of Major Joyce, who was wounded in service and promoted for gallant and meritorious conduct.

"Major Pomeroy, appointed in Captain Greene's place, was a Union soldier of

good military record and was wounded in action, while Captain Greene was engaged in less important service, principally on the Indian frontier, and was in no engagement in the field, and therefore in his case the statute has not been violated

"Many other facts might be recited from the evidence relating to the discharge and appointment of employés in the Providence custom-house, to the pernicious practice of the present collector in permitting his subordinates to engage in other business avocations while they are employed by the government, to which, by the nature of their contracts, and for the best interest of the public business, they owe their undivided service.

"But it is not deemed necessary to recount them in order to sustain the proposition that the above recited sections of the Revised Statutes and the Civil Service rules and orders have been violated and disregarded, as set forth in the memorial."

Other facts were brought out by the committee showing violation of the statutes referred to, and also of the Civil Service orders of the fraudulent administration. All the facts clearly indicated that the Republicans' professions of love for the soldier, and their desire to have him occupy places of honor, trust and profit, were mere lip service. The Rhode Island case was but one of many. The same condition of things exists elsewhere, and an investigation only is needed to bring out the utter heartlessness of Republican professions of love for the soldier.

ANOTHER REPUBLICAN DISCRIMINATION AGAINST SOLDIERS IN CIVIL EMPLOYMENT.

In 1865 Congress, both branches being then largely Republican, passed an act which was entitled

An Act supplementary to the several acts relating to pensions.

The first section of that act contained this proviso:

Provided, That no pension should be allowed to any person as an invalid for any period of time during which he received, or has become entitled to receive, for services to the United States government in any capacity, the full pay which able-bodied officers or employés rendering like service are allowed by law.

This proviso remained on the statute book for one year and more. It virtually struck from the pension rolls every wounded soldier, no matter whether he had lost an arm or a leg, who had been fortunate enough to obtain civil employment under the government. The proviso created much righteous indignation among the soldiers and their friends, and in June, 1866, the proviso was repealed. But no provision was made to reimburse the soldiers who had been deprived of their pensions between the date of the enactment of the proviso and its repeal.

THE DEMOCRATIC HOUSE RIGHTS THE WRONG.

On May 24, 1878, Gen. A. V. Rice, of Ohio—a gallant soldier who left a leg upon the field of battle, a Democrat tried and true, and one of the best friends the soldier ever had in Congress—reported a bill to remedy a wrong which the Republicans had left uncorrected on the statute book for twelve years. The bill was entitled

An Act relating to soldiers while in the Civil Service of the United States.

The bill gave the pensioners the pensions of which the Republicans had deprived them. It provided as follows:

That all persons who, under or by virtue of the first section of the act entitled an act supplementary to the several acts relating to pensions, approved March 3d, 1865, were deprived of their pensions during any portion of the time, from the 3d day of March, 1865, to the 6th day of June, 1866, by reason of their being in the Civil Service of the United States, shall be paid their said pensions, withheld by virtue of said section, for and during said period of time.

This bill passed the Democratic House without a murmur of opposition (*see Cong. Record, part* 4, *45th Cong., 2d sess., p.* 3757).

It went immediately to the Republican Senate, where the majority, which claims to have such supreme love for the soldier, let it lay until February, 1879, when the House bill was taken up and passed.

The bill originated in a Democratic House, it was pushed to a passage by a Democratic representative, and but for his action and that of his fellow-Democrats the pensioners who were deprived of their money in 1865, would still be without it. In all their years of power the Republicans never thought of doing this simple act of justice.

ANOTHER DEMOCRATIC EFFORT TO SECURE CIVIL EMPLOYMENT FOR SOLDIERS.

In the regular Annual Pension Appropriation Bill for the fiscal year ending June 30, 1879, which passed the House April 11, 1878, Gen. Rice of Ohio offered an amendment, which was adopted by the Democratic House, providing that from and after July 1st, 1878, the office of pension agent should be filled by wounded or disabled Union soldiers. It seemed to the Democratic House eminently fit and proper that the money disbursed for the benefit of soldiers should be distributed by soldiers. Besides that, it opened up a new avenue of employment to a number of the veterans (*see Cong. Record, vol. 7, part 3, 45th Cong., 2d sess.*).

The bill was taken up in the Senate on May 6th, 1878, and the Senate Committee on Pensions moved to amend the House amendment by directing the President to *give preference* to wounded and disabled Union soldiers in the appointment of pension agents.

The amendment of the House, as well as the proposed amendment of the Senate committee, was opposed on the ground of unconstitutionality. It was argued that Congress could not instruct the President who to appoint. As an answer to this the fact was pointed out that in appointing judges, the President necessarily confined himself to the legal profession; that in appointing surgeons he was confined to the medical profession, etc., and that there was therefore no impropriety in directing him to confine himself to a certain class in the appointment of pension agents.

SENATOR INGALLS' TRIBUTE TO THE DEMOCRATIC HOUSE.

In the course of the debate Senator Ingalls, a Republican, said:

"At the other end of the Capitol is a House which is frequently alluded to as the House of Confederate Brigadiers. They have no unconstitutional scruples about declaring that Union soldiers shall administer the pension agencies of this country. The men who have served in the rebel army, and have had their disabilities removed and have come to Congress, pass a section to a bill expressly declaring that the powers and duties of those offices shall be exercised by disabled, wounded, and honorably discharged Union soldiers. But when the bill came to the Senate, a portion of the gentlemen of that faith, and a portion of the gentlemen of the opposite political faith, come together in a body that is ostensibly Republican, and find a great many constitutional scruples about the power of the Executive to appoint Union soldiers to office. * * * The Senate, nominally Republican, attacks a section that comes from the House, actually Democratic. That body, controlled very largely by the sentiment known as the Confederate during the war, have sent to us an open, manly declaration that the duties of these offices shall be discharged by wounded and disabled Union soldiers. * * * If democrats and Confederates, as they are called by the public press, can find no constitutional difficulty about this matter, it seems to me that we ought not to be particularly troubled upon the point (*see Record, May 6, 1878, part 4, 45th Cong., 2d sess.*)

Senator Ingalls, in the extract above quoted, recognized and confessed the fact that the Democrats, including the "Confederate Brigadiers," were more disposed to do equal and exact justice to the Union soldier than the Republican Senate was.

The House clause was amended so as to provide that in a case of a vacancy from any cause, the office of pension agent shall be filled by wounded or disabled Union soldiers, or the widows or daughters of Union soldiers.

When the bill went back to the House it was sent to a conference committee, and as the committee could not agree upon the construction of that clause, it was dropped out entirely. Thus the good intentions of the Democrats toward the Union soldiers were defeated, because the Republican Senate, in the language of one of their own Senators, "had constitutional scruples about the power of the Executive to appoint Union soldiers to office."

FRIENDSHIP FOR MEXICAN VETERANS.

The 47th Congress met December 5, 1881, and remained in session until August 8, 1882. During the nine long months of the session no time was found for the consideration of the claims of the Mexican veterans. Mr. Joyce, (Rep.,) whose violent speech against the bill when it was under consideration a few years ago, will be recalled by all who have watched the debates in Congress on the subject, was made chairman of the Committee of Pensions, Bounty, and Back Pay.

In the Senate, February 21, 1882, a resolution that the Arrears of Pension Act ought not to be repealed being under consideration, Mr. BUTLER (Dem.) moved to add these words:

"And that Congress ought to enact a law granting a pension to the soldiers of the Mexican and Indian wars who are needy or were disabled in the line of their duty."

Mr. CAMERON (Rep.), of Wisconsin, moved to strike out the words "needy or;" which was disagreed to—yeas 15, nays 36:

"YEAS—Messrs. Allison, Anthony, Cameron of Pennsylvania, Cameron of Wisconsin, Conger, Ferry, Kellogg, Lapham, Mitchell, Morrill, Platt, Rollins, Sawyer, Teller, and Windom—15, all Republicans.

"NAYS—Messrs. Bayard, Beck, Blair, Brown, Butler, Call, Cockrell, Coke, Davis of Illinois, Davis of West Virginia, Dawes, Farley, Gorman, Grover, Hampton, Harris, Harrison, Ingalls, Jackson, Johnston, Jones of Florida, Logan, McDill, Maxey, Morgan, Plumb, Pugh, Ransom, Saunders, Slater, Vance, Van Wyck, Vest, Voorhees, Walker, and Williams—36; Democrats, 27; Republican, 9.

Pending action on the resolution, Mr. HAWLEY (Rep.) moved to lay the resolution and amendments on the table; which was agreed to—yeas 26, nays 23.

Congress adjourned without action on this important measure, and without granting the friends of the veterans of the Mexican war a vote on the bill granting them pensions.

SERVICES OF MEXICAN VETERANS.

In very marked contrast with the niggardly policy of the Republican party toward these old veterans is their valuable service to the Republic.

It would be difficult to find in either classic or modern history so valuable material acquisitions as those resulting from the war with Mexico.

We will tell the story in the language of one of these veterans now in the United States Senate. In a speech upon the Arrears of Pensions Act, Senator MAXEY said, in the Senate, February 10, 1882:

"Mr. President, as a question of historical fact, the Mexican war is the only war that has ever been fought by the American people where the material results were of benefit to this country. It is the only war that was ever fought where the American people, the volunteer soldiery and the regular army, were required to leave their home and country and pass into a foreign land and there uphold the flag of the Union. This war, therefore, is exceptional. It is the only war that was ever fought by the American people which added territory and wealth illimitable to the Union. When that war closed, as one of the results of it, there was added to this Union the Territories of Arizona, New Mexico, Nevada, Utah, the larger portion of Colorado, a portion of Wyoming Territory, and the whole of the great State of California. It was an empire in area and an empire in wealth, added by that war to the Union.

"Who, I ask, were the instruments of this Government in the procurement of that vast acquisition to the wealth of our country? The instruments were the men who shouldered their muskets and left their own homes and country and fought under the flag of the Union upon a foreign soil. They were the instruments of the Government. Now the question is, ought they to be pensioned? Not the rich ask the pension, but the poor, the needy, the disabled. Ought these men who have added this grand empire to be provided for by the Government? I said on a former occasion that there had been dug from the bowels of the earth in the country added by that war an amount of gold and silver ample to pay the entire public debt, dug out of that territory which was added to the Federal Union and was the legitimate results of the Mexican war, and which results were brought about in part by the very men proposed to be benefited by this measure.

"I was furnished yesterday evening with a statement by the Senator from Nevada [Mr. FAIR], showing the mining products of the Pacific States and Territories, comprising gold, silver, and bullion by years from 1852 to 1880, by which it appears that there was dug out of the mines of California, Utah, Nevada and Arizona, all of which came under the jurisdiction of the United States as the result of the Mexican war, $1,617,174,916; and in addition to that, between 1848 and 1852, when no accurate records were kept, there were dug from those mines, according to the best estimates, $147,000,000, making the entire amount reported $1,764,174,916 of gold and silver. This table contains only the amount carried by express, and does not include that carried by mail or by private parties, so that the statement which I made—that out of the mines in the territory acquired by the Mexican war there had been dug enough of the precious metals to pay the entire national debt—is entirely true. The detailed statement is:

Mining product of the Pacific coast States and Territories, comprising gold, silver, and base bullion, from 1848 *to* 1881.

Year.	California.	Nevada.	Utah.	Arizona.
1852	$59,000,000	.....	.....	.....
1853	68,000,000	.....	.....	.....
1854	64,000,000	.....	.....	.....
1855	59,000,000	.....	.....	.....
1856	63,000,000	.....	.....	.....
1857	61,000,000	.....	.....	.....
1858	59,000,000	.....	.....	.....
1859	59,000,000	$100,000	.....	.....
1860	52,000,000	500,000	.....	.....
1861	50,000,000	2,300,000	.....	$100,000
1862	51,500,000	6,300,000	.....	200,000
1863	50,000,000	12,500,000	.....	150,000
1864	35,000,000	16,800,000	.....	150,000
1865	35,000,000	16,800,000	.....	200,000
1866	20,000,000	16,000,000	.....	200,000
1867	25,000,000	20,000,000	.....	300,000
1868	22,000,000	15,000,000	.....	500,000
1869	22,500,000	14,500,000	$200,000	1,000,000
1870	25,000,000	16,000,000	1,300,000	800,000
1871	20,000,000	22,500,000	3,000,000	800,000
1872	19,049,098	25,548,811	3,521,020	143,777
1873	18,025,722	35,254,507	4,906,337	47,778
1874	20,300,531	35,452,233	5,911,278	26,066
1875	17,753,151	40,478,369	5,687,494	109,093
1876	18,615,807	49,280,764	5,207,519	1,111,992
1877	18,174,716	51,580,290	8,113,755	2,388,622
1878	18,920,461	35,181,949	6,064,613	2,287,983
1879	19,190,973	21,997,714	5,468,879	1,942,403
1880	19,276,166	15,031,621	6,450,953	4,472,471
Total	1,075,306,625	469,106,258	55,821,848	16,930,185

The gold and silver product of California from 1848 to 1852 amounted to $147,000,000.
The above table contains only the amount carried by express, and does not include that carried by mail or by private parties.
Total; California, Nevada, Utah, Arizona, $1,617,174,916 from 1852 to 1881.
147,000,000

1,764,174,916

"In addition to that, Mr. President, you have only to look to the Pacific coast and you will find there the city of San Francisco, which to-day is the third city in the amount of customs dues collected. You have but to look to the Union Pacific and Central Pacific railroads, which connect the Atlantic and Pacific Oceans together across that territory, and thus you have a direct route from New York to San Francisco, and thence by the Sandwich Islands on to China and the East Indies, the great trade which the commercial world for more than 2,000 years had been seeking to capture. That overland route was an impossibility save and except by and through the acquisition of that territory brought into this Union by the exertions of our soldiers of the Mexican war. And still later since that was done you have another great route. That Texas and Pacific, running 800 miles through that magnificent State in which I live, connecting the Atlantic and Pacific by the Southern line free from snows, passing through Texas by El Paso and thence on to San Francisco, thus connecting by a direct line of railway communication the city of San Francisco with the great cities of the South, Galveston, New Orleans, Savannah, and so on.

"These results were impossible save and except through this war. Then, as I once before said and as I now here repeat, it is a recognized principle that those in the Navy who make captures on the high seas are entitled to their prize-money out of the property thus captured; and here where this grand empire in wealth and in area was added to our country by the prowess of these men who left their country and went into Mexico, following the flag of the Union, the Stars and Stripes, at the command of their Government, I ask in equity, in good conscience, is it not right that these men should receive at least some assistance from this Government in their declining years? I have no respect for any man's sense of justice or fair dealing who would refuse it."

VII. Neglect of American Citizens abroad.

True to its instincts, the Democratic party is ever watchful of the rights and liberties of American citizens abroad. The eternal vigilance of Democratic Senators and Members is in marked contrast with the Republican apathy upon this subject, so vitally important to a large class of our fellow-citizens. The resolutions introduced and earnest speeches delivered upon the Democratic side of the 47th Congress furnish ample proof of this assertion.

The law upon the subject is as follows:

SECTION 2000, REVISED STATUTES. *All naturalized citizens of the United States while in foreign countries are entitled to and shall receive from this Government the same protection of persons and property which is accorded to native-born citizens.*

SECTION 2001. Whenever it is made known to the President that any citizen of the United States has been unjustly deprived of his liberty by or under the authority of any foreign government, it shall be the duty of the President forthwith to demand of that government the reasons of such imprisonment; and, if it appear to be wrongful and in violation of the rights of American citizenship, the President shall forthwith demand the release of such citizen; and if the release so demanded is unreasonably delayed or refused, the President shall use such means, not amounting to acts of war, as he may think necessary and proper to obtain or effectuate the release; and all the facts and proceedings relative thereto shall, as soon as practicable, be communicated by the President to Congress.

The above unequivocal laws are in odd contrast with the humiliating sycophancy of our Government, as evidenced in the cases of the American citizens imprisoned in British jails. Early in 1881 the history that preceded the War of 1812 began boldly to repeat itself. American citizens temporarily resident in Ireland were thrown into prison under the infamous "Coercion Act" of Great Britain. These men were convicted of no crimes; they were simply *suspected* of sympathy with the cause of Ireland. Vain efforts were made by individual friends and by societies to have positive and effective action taken by our Government on behalf of these unfortunate persons.

"The security, the dignity, and the inviolability of American citizenship constitute, more than all other things combined, the strength and honor of this Government. Any policy emanating from any source which ignores in the slightest degree this great fact calls for prompt and stern condemnation. A government which is indifferent to the fate of its own citizens, whether at home or abroad, which fails to respond boldly and swiftly to their appeals for justice, and leaves them to waste away their lives in prisons, untried, unconvicted, is unworthy of allegiance, and ought not to have, and will not long retain, a respectable position among the independent powers of the earth. Duties are reciprocal between the Government on the one hand and its citizens on the other."—*Senator Voorhees.*

The principal cases were those of O'Mahoney, McSweeney, Boynton, O'Connor, Walsh, McEnery, Hart, Daly, White, and McCormack.

CASE OF O'MAHONEY.

Henry O'Mahoney was imprisoned under the coercion act June 4, 1881. He presented his case to Mr. Lowell, U. S. minister to London, asking him to procure him a speedy trial or liberation. To this request Mr. Lowell, while *acknowledging his title to citizenship*, regardless of the plain and mandatory words of section 2000 R. S., above quoted, replied in effect that England had a right to arrest all persons domiciled in the proclaimed districts, and that it was "mani-

festly futile to claim that naturalized citizens of the United States should be exempt from its operation."

Mr. O'Mahoney's wife addressed a letter to E. P. Brooks, Consul at Cork, requesting his interference to secure her husband a speedy trial, and forwarded his naturalization papers. Mr. Brooks, in a letter to Adam Badeau, Consul-General at London, says: "I explained to Mrs. O'Mahoney that no interference by me could possibly effect the result she sought."

The following speaks for itself:

"*Mr. Lowell to Mr. O'Mahoney.*

"LEGATION OF THE UNITED STATES,
"*London, July* 19, 1881.

"SIR: I have your letter of the 15th instant. I am waiting instructions from home before taking action in such cases as yours.

"It is my opinion, however, and in this I shall probably be sustained by the Department of State, that the fact of being an American citizen cannot of itself operate to exempt any one from the penalties of a law which he had violated, and *that it will be necessary to show that some exceptional injustice had been practiced in any particular case before the American minister can be called upon to intervene.*

"I am, sir, your obedient servant,
"J. R. LOWELL."

Mr. O'Mahoney had informed Mr. Lowell that all he asked was his interference *to obtain a speedy trial.* Our representative, however, evaded this direct request by assuming that he asked protection from the verdict on the crime charged.

Mr. O'Mahoney's citizenship was established beyond question. He was discharged from the United States Navy in 1865. He remained in this country until 1874. Then sojourned in Ireland until 1879. In February, 1880, he obtained naturalization papers at Lockport, N. Y. In January, 1881, he returned to Ireland to dispose of his property and bring his family to this country. That his citizenship was admitted, and with it his right to the benefit of section 2001, above quoted, is shown by the question of U. S. Consul Brooks: "Suppose the British Government were to permit your release from prison upon condition of your immediate return to the United States, would you accept such terms?"

This question presupposed belief of his innocence of the alleged crime of attempted murder by the British Government, and his honor and the honor of our country demanded his trial.

"*Mr. O'Mahoney to Mr. Lowell.*

"LIMERICK PRISON, *July* 21, 1881.

"DEAR SIR: I quite agree with you when you state that an American citizen should not be exempt from the penalties of a law which he violates, and that it would be necessary to show that some injustice had been practiced before your intervention, and I respectfully submit the following facts for your kind consideration:

"1st. That I am arrested charged with a crime.

"2d. That I am detained in prison without a shadow of evidence against me.

"3d. That I am debarred of the right of proving my innocence in connection with the crime that I am suspected of. Therefore all the favors I ask (and I think I should claim it as right) from the United States Government, through you, is a trial, in order that I may show that there is exceptional injustice practiced in my case. Therefore I respectfully ask your intervention to grant me a trial, and by so doing I will not only be able to prove myself innocent of the charge that I am accused of, but of any other crime punishable by law, except

being a member of the Land League, an organization which the prime minister himself declared to be perfectly constitutional.

"An early reply will oblige yours, respectfully,

"HENRY O'MAHONEY.

"P. S.—Kindly let me know if you can demand an impartial trial for me; if not I shall ask for no other favors.

"H. O'M."

CASE OF SWEENEY.

Daniel Sweeney, an American citizen, for twenty years a resident of San Francisco, Cal., was dragged, ill in health, from the bosom of his family on June 2, 1881, and lodged in Dundalk Jail.

"*Mr. Sweeney to Mr. Lowell.*

"DUNDALK JAIL, *June* 7, 1881.

"SIR: I am an American citizen, having resided twenty-five years in the United States, twenty of which I spent in San Francisco, Cal. During that time I never was either charged, accused, or even suspected of any crime, nor in fact never was accused of any crime in my life, until on the 2d of the present month my house was surrounded by an armed force and I was forcibly dragged from the bosom of my family and lodged in jail.

"The charge against me now is, inciting persons to unlawfully assemble and commit riot and assault. Now, there was no unlawful assembly, no riot or assault committed in the district from which I was arrested, neither was there any incitement to commit such. The government kindly furnished me with a shorthand reporter who carefully took down every word I said in the English or Irish language, and I challenge him, or the government, or all the landlords in Ireland, to prove that I uttered one word which could by any possibility be construed to mean incitement to crime. On the contrary, from every platform I advised the people to commit no crime, to violate no law, but to carefully work within the lines of the constitution.

"Now, sir, I want a fair trial; if I am innocent, I want, as an American, to be released; I want to know if my naturalization papers are worth preserving; whether, when an American leaves home his mouth must be sealed, though slavery in its worst form should exist in every country through which he may travel.

"Yours, respectfully,

"DANIEL SWEENEY."

Again, in utter disregard of sections 2000 and 2001 R. S., Mr. Lowell evades the request for a fair and speedy *trial* thus:

"*Mr. Lowell to Mr. Sweeney.*

"LEGATION OF THE UNITED STATES,
"*London, September* 22, 1881.

"SIR: I have to acknowledge the reception of your letter of the 17th instant.

"I have not thought it proper to make any application for your release from prison for the following reasons:

"The coercion act, however exceptional and arbitrary, and contrary to the spirit and fundamental principles of both English and American jurisprudence, is still the law of the land, and controls all parties domiciled in the proclaimed districts of Ireland, whether they are British subjects or not. It would be manifestly futile to claim that naturalized citizens of the United States should be excepted from its operation.

"The only case, in my opinion, in which I ought to intervene, would be where an American citizen who is in Ireland attending exclusively to his private business and taking no part whatever in public meetings or political discussions should be arrested. Under such circumstances it would be proper to appeal to the courtesy of the government here on the ground of mistake or misapprehension, and ask for the release of the prisoner.

"I have communicated these views to the Department of State, and I have received, so far, no instructions in a contrary spirit.

"It does not appear to me that the reasons above given for intervention exist in your case so far as I understand it.

"I am, sir, &c.,

"J. R. LOWELL."

The just, the patriotic indignation of an American citizen roused by this shameless epistle finds expression in the following words of McSweeney:

"*Mr. Sweeney to Mr. Lowell.*

"DUNDALK JAIL, *September* 27, 1881.

"SIR: A letter bearing your signature, dated from the Legation of the United States, London, of the 22d instant, is received by me in my prison cell in Dundalk. I am unwilling to believe that this letter is the production of an American gentleman, much less the American gentleman representing the United States at the court of St. James. I cannot believe that an American gentleman would treat the appeal of an American citizen in prison with contempt, therefore permit me to presume that you signed the letter in question by mistake, but as your signature is attached to it I may be permitted to analyze it and if possible ascertain your meaning.

"The reasons which you say influence you in not making an application for my release are not, in my opinion, good and sufficient reasons. But I will quote your own words and leave the public on both sides of the Atlantic to judge:

The coercion act, however exceptional and arbitrary, and contrary to the spirit and fundamental principles of English jurisprudence, is the law of the land.

"That the coercion act is the law of the land no one will dispute, but many will be inclined to the belief that the *absence* of coercive measures would be exceptional.

It would be manifestly futile to claim that naturalized citizens of the United States should be excepted from its operation.

"Here we learn for the first time that there is a distinction between naturalized and native-born American citizens regarding their right to claim protection abroad; but it is evident that you are laboring under a misapprehension with regard to my claim. I did *not* claim to be excepted from its operations; my claim is based on the fact that I did not violate any law.

"'The only case, in my opinion, in which I ought to interfere would be when an American citizen who is in Ireland attending exclusively to his own business and taking no part whatever in public meetings or political discussions should be arrested, it would be proper to appeal to the courtesy of the British Government for the release of the prisoner.'

"So that, in your opinion, the only right which an American citizen could claim abroad would be an appeal to the courtesy of the government who might deprive him of his liberty. But should an American be so imprudent as to take part in a public meeting, say a prayer-meeting, or engage in any political discussion with a Frenchman, a German, or even a Zulu, according to your opinion, he would forfeit all claim not only to protection, but even to an appeal to *courtesy*. This throws new light on the question of American citizenship.

* * * * * * * * * *

"One would naturally expect that a gentleman intrusted with the important mission of United States minister at the English court should at least make a dignified reply to what some gentleman occupying a similar position might consider an insult. But on the contrary, sir, you seem to have given up the fight, which, in my opinion, could not have been a very determined one, and you sent me a message to my prison cell, where I have been confined for over four months, and where I have to pass eighteen hours each day in a space 6 by 12, and you tell me that you have abandoned me to my fate; that you would not intervene any further in my behalf. It will not be clear to the public that you did intervene very far.

* * * * * * * * * *

"British subjects took part in public meetings and political discussions in the United States during the slave troubles. Had the American Government cast

them into prison and sentenced them to a term of imprisonment without trial, and refused to give the British minister at Washington any information respecting the charge against them, what would the British minister do 'under these circumstances?' Fold his arms, take the matter good-naturedly, send a message to the British subjects in prison that he 'did not think it proper to intervene,' or demand his passport? Yours, respectfully,

"DANIEL SWEENEY."

SENATOR VOORHEES' SPEECH.

On April 15, 1882, the Senate having under consideration a resolution condemning the dilatory and unpatriotic course of the State Department, Mr. Voorhees said:

"Sir, what is the attitude of the American Government at this time on this momentous question? Is it one which inspires a feeling of satisfaction and pride in the American heart? I appeal to the record. On the 9th day of the last month this body made inquiry in the following form after the condition of a citizen of the United States then confined in a British jail:

Whereas it is alleged that Daniel McSweeney, a citizen of the United States, and lately a resident of the State of California, while peaceably sojourning in England, has without just cause been imprisoned by the British Government: Be it therefore

Resolved, That the Secretary of State be, and is hereby, instructed to ascertain the cause for the alleged imprisonment of the said Daniel McSweeney, and make report to the Senate at the earliest day possible.

"On the 20th day of March, eleven days after the passage of this peremptory resolution, the Secretary of State transmitted to us his answer. Every particle of information on the subject was in his hands when the resolution reached him, and could have been reported in twenty-four hours had he reported 'at the earliest day possible,' as instructed. The American State Department, however, has always, in late years, taken its greatest leisure and proceeded most slowly when an American citizen was in a foreign prison, and this diplomatic custom was not broken in the present instance. But, sir, prepared as I was for the exhibition of a weak foreign policy on our part, I was utterly amazed at the contents of the communication from the Secretary of State in this case. It appears that Daniel McSweeney was arrested June 2, 1881, now more than ten months ago, and that he has suffered in prison from that day to this. He was dragged from a bed of sickness, in the presence of his wife and children, by British constables. He was guilty of no crime, not even the shadow of any crime known to the laws of any civilized nation on the face of the globe. No one will pretend that he was; no one will rise here and say so. If the party so long in power in this Government has a friend on this floor who will risk his reputation in trying to point out the guilt of McSweeney I want to hear him. Let him stand forth at once and reconcile us if he can to the policy of the Republican party in relation to foreign-born citizens. This extraordinary document from the State Department tells the whole miserable story. I challenge particular attention to dates. On the 3d day of August, 1881, Julia McSweeney wrote to the Secretary of State from the County Donegal, Ireland, in behalf of her husband, and her letter was received here in Washington on the 16th day of the same month. In that letter the brave, high-spirited wife says:

Some four years ago I came with my family, on account of my husband's failing health, to reside temporarily in this country. I was aware that England claimed this island, but I was under the impression that Americans might venture to travel or reside abroad protected by their flag, but in this I was mistaken.

"And then she proceeds, with a woman's keen sense of wrong and outrage, to describe the brutal arrest of her invalid husband. She continues:

It is not alleged that he committed any crime or violated any law. He, being an American citizen, immediately forwarded his naturalization papers, together with a solemn protest against this British outrage, to the American minister at London. That gentleman answered that the matter would be laid before one Granville, and that inquiries would be made as to the ground of his arrest.

"And still there was no response to this American wife and mother. She invoked the justice of law for her husband, innocent of crime, and she asked in respectful terms whether she herself would be protected, or left to share his fate because she could not help sharing his opinions. She spoke for him, for herself,

and for her virtually orphaned children. Sir, a government or the department of a government which in any age of the world's history would turn a deaf ear to burning words like these could not complain of being regarded with aversion and contempt in all quarters of the globe. A policy of silence and indifference under such circumstances is so unmanly and pusillanimous that every American head will be bowed with shame and every American heart filled with humiliation as the facts of this case become generally known. I feel degraded in my pride as a citizen of the American Republic when compelled to state, as I now do, with the communication of the State Department in my hand, that until six long and weary months to the prisoner after this Government had received his wife's letter not a single step was taken by the authorities here directing inquiry into the circumstances of his arrest, and then only when influenced to do so by other considerations, as I shall show, than a just appreciation of his claims to protection.

"Mr. JONES, of Florida. Will the Senator permit me to ask him a question, without interrupting him? Is McSweeney now in prison?

"Mr. VOORHEES. I understand so, as no notice whatever has been given of his release.

"The woman's appeal lay unheeded in the official pigeon-holes of the Department whose duty it was to protect her husband and all his family, but in the mean time the voice of such an outrage could not be stifled, and was finding its way to the public ear through more natural channels than the artificial and heartless methods of diplomacy. On the 23d day of January, 1882, there was published in the San Francisco Examiner a letter from the prisoner himself. It was accompanied by an editorial in which it was stated among other things that—

The writer, Daniel McSweeney, was for many years a well-known and esteemed resident of San Francisco, doing business at the corner of Ninth and Howard streets, where he was engaged in the cattle trade.

"That he had a large family, six of his children being with their mother in Ireland and two in San Francisco, and that Mrs. McSweeney's health was being rapidly undermined on account of her husband's unjust imprisonment. Mr. McSweeney's letter was written to his daughter in California, and its recitals are so simple, and yet so horrible, coming from a man whose rights as an American citizen are as perfect as yours, Mr. President, or as mine, that I cannot refrain from laying them again before the American Senate. The letter is written from "Dundalk jail," and is dated "December 12, 1881:"

MY DEAR MAMIE: You must excuse me for not answering your last two letters sooner. Since winter set in I was unable, owing to severe cold in this dungeon, to sit still long enough to write even a few lines. I have to keep moving about continually in my narrow space to keep from freezing. You must know how dreadful it is to be locked up eighteen hours a day in this cold, damp climate, without any fire, and, worse still, we are compelled to stand or walk about daily for five hours in the open air, in a damp, muddy yard, ankle-deep in water, and then retire to our cold cells, trembling with cold. It requires a strong constitution to stand it long. I fear many of our brave fellows will succumb before the winter is over. As I was only sentenced for sixteen months, I thought at first I might live it out; but you know I was in delicate health when arrested, being barely able to move about after a severe attack of sickness.

"Sir, this is a picture of wanton brutality such as barbarians alone inflict on prisoners, whether guilty or innocent. It shows that the spirit of torture, which for so many ages stained and blackened English history, is yet alive and active, and especially so when the victim belongs to a government whose administration cares nothing for his safety, and still less, if possible, for its own honor.

"But to continue Mr. McSweeney's letter:

All efforts on the part of your mother and all our friends failed to discover the cause of my arrest. I appealed to Mr. Lowell, United States minister at London, for protection, but he answered that it is absurd for a naturalized citizen of the United States to claim protection. He says that even an American citizen could only have recourse to an appeal to the courtesy of the British Government to be released. He added, in a later communication, that the British Government refused to give him any information about the charge against me, and that they snubbed him.

"Strong as this statement is, contained in a letter written in jail from a father to a daughter, yet I will show that it is the exact truth when I come to comment on the dispatches and official conduct of Mr. Lowell, the American minister at London. Mr. McSweeney, however, proceeds in his letter:

Your mother wrote to Mr. Blaine about my case, but that gentleman did not deign even a reply. I heard nothing whatever from him. * * * I am now in jail going on seven months, charged with no crime, and not even a shadow of suspicion that I violated any law; and when our American minister asks a civil question about me he is snubbed, insulted, and his flag trampled on; but he does not appear to make much fuss about it, and the American Government takes no notice of the question any more than the king of the Sandwich Islands would.

"Sir, I think Mr. McSweeney does injustice to the foreign policy of King Kalakaua in placing it as low and week as our own. * * * * * * * * *

"But, sir, there is another feature in this case arising out of the correspondence before us which demands attention. The conduct of the American minister at London and his conceptions of duty on a question of such vital moment are matters of paramount importance at this time. It will be remembered that Mr. McSweeney states in his letter to his daughter that he applied to Mr. Lowell for protection, and that he applied in vain. An inspection of Mr. Lowell's dispatches and letters on this point deepens and intensifies, if possible, the sense of American humiliation. The prisoner alleged in his application for protection not only that he was not guilty of any violation of law, but that he was not even notified of any criminal charge against him; that he was in prison without trial and without accusation. With this statement he forwarded his naturalization papers, concerning whose legality and sufficiency no question has ever been made. With the case thus made out before him the first step taken by the American minister was such, I venture to say, as never before occurred in the diplomatic or judicial annals of the human race. On the 10th of June, 1881, he instructed the vice-consul at Belfast to ascertain the cause of arrest, and, if innocent—if innocent—to present the matter in the competent quarter, wherever that might be, and ask that Mr. McSweeney be released or brought to trial.

"I defy the records of the dullest-witted justice of the peace in the United States to equal in the stupid evasion of duty this amazing diplomatic paper. The vice-consul at Belfast was instructed to find out, if he could, the cause of McSweeney's arrest; then in some inconceivable and incomprehensible way he was to pass upon the entire question of this unfortunate man's guilt or innocence. It was to be done without a judicial trial, for that had been refused; without witnesses, for the vice-consul had no power to call, swear, or examine them in such a case; without the presence of McSweeney himself, for he was in jail, and could not attend. Under the instructions of Mr. Lowell the prisoner, while in the Dundalk jail, with a British turnkey over him, was to be tried and convicted, or acquitted, without one single form of law, but simply in the void and empty mind of a vice-consul at Belfast. But the result of this trial, not in a court of law, but in the uninformed mental processes of the vice-consul, was perhaps to be the most astounding feature of this whole disgraceful business. The vice-consul at Belfast was instructed by the American minister that if he found McSweeney innocent then he was to ask, not demand, but ask that he be released or brought to trial; and it seems from the dispatch that which measure of relief, release, or trial he would ask was left to himself to determine.

"If this is not the first time in the history of the nations of the earth that a man's right to a trial before the law was made to depend upon his ascertained innocence beforehand, then my reading is at fault. If it is not also the first instance in which a respectable government was ever known to shrink from demanding a fair and open trial for one of its own citizens imprisoned in a foreign country until his innocence was established, then I will confess that I have overlooked the degrading example which we are following. The dispatch of Mr. Lowell to the vice-consul at Belfast would be a farce if it were not a crime. It marks his total absolute unfitness for the place he holds. The man whose methods of thought, whose education and legal training could give birth to such a document as this, cannot be trusted with the safety of American citizens or with the honor of this Government. He reverses every rule of human responsibility to civilized jurisprudence. He appears ignorant of the fact that every man is innocent in the eye of the law until his guilt is proven. He assumes McSweeney's guilt and requires his innocence to be established before his demand for a legal trial will be presented to the British Government.

"Instead of saying to the British Government that this man was an American citizen, that he denied all violation of law, that the law itself presumed him innocent, and that, therefore, he demanded for him a trial, Mr. Lowell's position was that only in case the vice-consul at Belfast should be satisfied of McSweeney's innocence was the request to be made for his trial or discharge.

"But what investigation, in point of fact, was made under the instructions of the American minister into McSweeney's guilt or innocence? Absolutely none, whatever. It was enough that the guardian of American rights abroad was answered with insolent brevity that the prisoner was 'reasonably suspected,' not

that he was charged upon oath or affirmation, not that he had been indicted by a grand jury or committed by an examining magistrate, not that he had committed a breach of the peace or been taken in the act of violating law, but that he was 'suspected' by some servile English detective of a feeling, not an act—a feeling in common with the enlightened and humane sentiment of the whole human race hostile to the colossal iniquity of British spoliation, rapine, lust, and murder in Ireland.

"Upon receipt of this atrocious answer, the American minister, in utter abandonment of the laws of his own country and without pride or shame, announced that 'no further means of ascertaining the justice of the accusation were open to the vice-consul.' He never afterward officially broached the subject to the authorities of Great Britain. He tells us, indeed, that at a subsequent date Mr. McSweeney having asserted his innocence, he ventured unofficially, disrobing himself of all weight as a representative of this government, to communicate this circumstance, and to ask that the case might be considered favorably. Then, however, Mr. Lowell was completely and perpetually silenced by the curt and distinct reply of Lord Granville, 'that under no circumstances would his request be granted.' Brow-beaten, insulted, and without the proper spirit to resent arrogance or to execute American law, he sheltered himself under the expressed belief, as will be seen on page 7 of the published correspondence, that the prisoner was 'no more innocent than the majority of those under arrest.' 'No more innocent!'

"Mr. JONES, of Florida. On that point I wish the Senator would observe that the language of Lord Granville, as reported by Mr. Lowell to the State Department, is that under no circumstance would any explanation be given to the American minister of the cause of the arrest of an American citizen, whether naturalized or native-born, beyond what could be found on the face of the warrant under which he was arrested.

"Mr. VOORHEES. I have the statement before me, and have so repeated it. 'No more innocent,' says the American minister; there is no reason to suppose that McSweeney is any more innocent than the rest of them. Will any Senator rise in his place and risk his reputation by saying that a man who has given such an expression as that ought to be retained in any branch of the public service? Comparative innocence! Everybody is innocent until after a fair trial and a verdict of guilty, and yet the American minister at London dares, with infinite hardihood, to assume and assert that all the untried, unconvicted 'suspects' in British jails, who are citizens of the United States, are guilty, and that Daniel McSweeney is as guilty as the others. He does not know, he cannot know, whether this is true or false; I presume he does not care.

"But this is not all. Outside of and beyond the meager and lifeless records of the Department of State, a few letters from the American minister to the American in prison have found their way into the public press. They throw a light on our foreign policy at this time which ought to be fully understood and thoroughly condemned. I did not suppose that at this late day there was any doubt in any intelligent mind as to the equality of the naturalized with the native-born American citizen in his right to the protection of his government. I thought that question forever settled by the diplomatic writings of Cass, Marcy, Webster, and other great Secretaries of State in past generations. But in this it seems I was mistaken. The American minister at London asserts a distinction between naturalized and native-born citizens of the United States as odious to every principle of justice as the ancient spirit of the alien and sedition laws. Let the following letter attest the truth of this statement:

LEGATION OF THE UNITED STATES,
London, September 22, 1881.

SIR: I have to acknowledge your letter of the 17th instant. I have not thought it proper to make any application for your release from prison for the following reasons: The coercion act, however exceptional and arbitrary and contrary to the spirit and fundamental principles of both English and American jurisprudence, is still the law of the land, and controls all parties domiciled in the proclaimed district of Ireland, whether they are British subjects or not. It would be manifestly futile to claim that naturalized citizens of the United States should be excepted from its operation. The only case, in my opinion, in which I ought to intervene would be when an American citizen who was in Ireland attending exclusively to his own business, and taking no part whatever in public meetings or political discussions, should be arrested. Under these circumstances it would be proper to appeal to the courtesy of the government here on the ground of mistake or misapprehension, and ask for the release of the prisoner.

I have communicated these views to the Department of State, and have received so far no instructions in a contrary spirit. It does not appear to me that the reasons above given for intervention exist in your case so far as I understand it.

I am, sir, your obedient servant, J. R. LOWELL.

Mr. D. McSweeney.

"Here we find the terms 'naturalized citizen' and 'American citizen' used in contradistinction to each other. For the naturalized citizen Mr. Lowell says it would be manifestly futile to claim protection from the operations of an act of Parliament which he admits to be 'contrary to the spirit and fundamental principles of both English and American jurisprudence.' On the other hand, if 'an American citizen who was in Ireland attending exclusively to his own business and taking no part whatever in public meetings or political discussions should be arrested,' the representative of American honor abroad thinks he would venture to appeal to the courtesy of the British Government on the ground not of right but of mistake or misapprehension. The rule of action here declared in behalf of the native American will excite the contempt of the civilized world, and yet it is somewhat less infamous than the policy laid down in reference to those whom our laws have adopted as citizens. There is a discrimination against the American of foreign birth inconsistent with American law and with the law of nations."

The above cases have been selected to illustrate the "sickening sycophancy" of our Government to that of Great Britain at the sacrifice of our national honor. The other cases present no features noticeably different from those given. It is the same story, from beginning to end, of disgraceful subserviency, under the title of "diplomatic courtesy."

INTERESTING CORRESPONDENCE.

The following extracts from correspondence on this subject will furnish some "mighty interesting reading:"

"*Mr. Barrows to Mr. McCormack.*

"CONSULATE OF THE UNITED STATES,
"*Dublin, February* 24, 1882.

"SIR: I am in receipt of yours of the 23d, and in reply beg to inform you that the fact of your being an American citizen confers upon you no immunity from arrest and imprisonment under the coercion act. The minister can interfere only:

"1st. When such person being in Ireland in the prosecution of his lawful private business, and taking no part in political meetings or partisan disturbances, has been arrested by obvious mistake; or,

"2d. When a distinction has been made to the disadvantage of the prisoner on the ground of his American nationality.

"The above are the decisions of Minister Lowell, under whose instructions I am acting. Should there be a peculiar hardship in your case, not affected by these decisions, please submit all the facts in the case, together with evidence of your American citizenship, and the matter shall have my prompt attention.

"I remain, &c., "B. H. BARROWS,
"*United States Consul.*"

Mr. Barrows, reiterating the decision of Minister Lowell, seems to be better informed as to the effects of a British law than the mandates of an American act of Congress. Under the act of 1868 it was the duty of our Government to demand an immediate trial or release. Our representative, however, while an acknowledged citizen is languishing in a dungeon, spends the valuable time due to a suffering countryman in construing British laws.

"NAAS BASTILE, *April* 18, 1882.

"DEAR SIR: Herewith I forward you certificate of my American citizenship, and beg to request that you will lose no time in forwarding it to Mr. Lowell. I

lost the original document, and in consequence of your reply to me last February, I neglected sending for a duplicate until the 20th ultimo. I trust that Mr. Lowell will lose no time in representing my case, as I am now undergoing my fourth month's imprisonment without the slightest shadow of a charge against me. Of course my business as a journalist and newspaper proprietor is suffering severely through this most wanton outrage perpetrated on me by the British Government, and I think it would be nothing more than ordinary justice that Mr. Lowell should demand compensation for me, for the losses which I have sustained. I shall expect at least that my trial or unconditional release will be demanded forthwith. Surely four months should be time enough for the British authorities to trump up a charge against me if they could, but I defy them to do so.

"It might be necessary for me to explain the slight difference between the name under which I was arrested and that in my certificate of eitizenship. The name under which I was arrested is John R. McCormack, the R being used by me from my mother, whose name is Ryan, in order to distinguish me from several John McCormacks in Tipperary, amongst them three first cousins of my own. Of course I am prepared to prove that I am the actual person mentioned in the inclosed duplicate. Your faithful fellow-eitizen,

"JOHN R. McCORMACK."

The following shows to what an extent was carried the "diplomatic courtesy" of the State Department. Nothing but ignorance or impertinence, barring "diplomatic courtesy," could possibly have sent the minister from England to complain to the Secretary of State of the wording of a resolution of the House of Representatives of the United States:

"*Mr. West to Earl Granville.*

"WASHINGTON, *January* 25, 1882. (Received February 12.)

"My LORD: I have the honor to inform your lordship that the Committee on Foreign Affairs has reported back to the House a resolution to the following effect:

"'That the President be requested to obtain from the British Government a list of all American citizens, naturalized or native-born, under arrest or imprisonment by authority of said government, with a statement of the causes of such arrest or imprisonment, especially of such citizens as may have been thus arrested and imprisoned under a suspension of *habeas corpus* in Ireland, and if not incompatible with the public interest, that he communicate such information as he receives, together with all the correspondence now on file in the Department of State relating to any existing arrest or imprisonment of citizens as aforesaid;' upon which Mr. Robinson, of New York, made a violent speech, copy of which is herewith inclosed, against the British Government, and said, alluding to the prohibition of the importation of hogs into England from America some time ago, which created so much sensation, 'Oh! that we only paid as much attention, as much honor, to a live American citizen as we do to a dead Cincinnati hog!' I called Mr. Frelinghuysen's attention to the terms of this resolution, and to the language used in debate upon it, but he said he had no knowledge of any such resolution as I had now alluded to, and which I showed to him, nor could he tell me what was likely to be the ultimate fate of it. I remarked to Mr. Frelinghuysen that, although not much importance need be attached to such language as that used by Mr. Robinson, still the wording of the resolution was calculated to produce a bad effect, and might cause unnecessary irritation.

"Mr. Frelinghuysen said he would make inquiries as to what had taken place in the committee respecting the resolution.

"I have, &c., "L. S. SACKVILLE WEST."

[Inclosure in No. 21.]

[Extract from the National Republican of January 24, 1882.]

"Mr. Robinson, of New York, took the floor to discuss the resolution. He related how, some months ago, he had met the late English minister, and how that gentleman had stated to him that some American hogs of bad character had been

taken over to England for consumption. The wires under the Atlantic had flashed the news of outrages that were about to be perpetrated upon the dead Ohio hog. At the same time, American citizens, who had fought upon the battle-fields of the Union, whose blood had given additional redness to the Stripes and brightened the glory of the Stars, were thrown into prison without any crime being alleged against them, were tried as felons, and were without any opportunity to get their cases before the Government or the people of the United States. He (Mr. Robinson) had been led to exclaim : 'Oh ! that we only paid as much attention, as much honor, to a live American citizen as we do to a dead Cincinnati hog.' But so it was. The State Department would not call up the cases of those citizens and have them examined. There were five American citizens now confined in British bastiles. They had been seized, brought before a jury, tried, and acquitted ; but immediately afterward the suspension of the *habeas corpus* had been brought to bear, they had been rearrested, and were now languishing in prison. He had endeavored to get the cases of these moaning, sickened, dying American citizens before this House, but, until the present time, had been unable to do so. He was going to move an amendment to the report, and was going to take higher ground than was there taken. Not only had the United States a right to interfere in behalf of American citizens in British prisons, but it had the right, and it was its duty, to demand the release of the members of Parliament elected by the people of Great Britain, and whom the British Government had imprisoned. 'A gentleman here,' continued Mr. Robinson, 'shakes his head. I will shake his heart.'

"Mr. Robinson then quoted from a speech delivered by Lord John Russell in favor of the British Government interfering to compel the release by the Tuscan Government of certain of its own subjects. Russian despotism hid its head, Turkish tyranny paled into insignificance, and grew pigmyish in comparison with the great wrong and tyranny and despotism that had been inflicted on some of the people of Great Britain.

"At this point the matter went over until Tuesday, when it will come up as unfinished business."

[Extract from the Baltimore American of February 17, 1882.]

"THE CASE OF DENIS O'CONNOR AND HIS CLAIM OF AMERICAN CITIZENSHIP.—Mr. Denis H. O'Connor, who is now confined in prison in Ireland as a 'suspect,' and over whose case quite a discussion occurred in the House of Representatives on Tuesday, was formerly a resident of Baltimore. He is a brother of Mr. P. C. O'Connor, who keeps a grocery store at the corner of Chase and Chapel streets, and is a fully naturalized citizen of the United States. Mr. P. C. O'Connor was called upon yesterday by an American reporter, and in response to inquiries, stated that his brother, Denis H. O'Connor, the prisoner alluded to, had resided in Baltimore for ten years previous to 1878, in which year, being broken down in health, he had taken a trip to Ireland, and had since made it his home. He had while in this city been an active and energetic business man, and among other houses with which he was associated were mentioned Hinkelman, Jackson, and Phelps, of Baltimore ; John B. Ellison & Son, of Philadelphia ; and Dahlnen, Forbes & Co., of New York. His health being partially restored shortly after landing in Ireland, Mr. O'Connor opened an extensive dry-goods establishment in Charleville, county Cork, and another in Kilmallock, county Limerick. His brother says that Denis was a general favorite on account of his genial disposition, but more, perhaps, on account of his outspoken love for republican institutions. When the Land League agitation commenced, O'Connor was chosen as treasurer of the Charville Branch, and so remained until arrested on the 22d October, 1881. Mr. P. C. O'Connor, on learning of the arrest of his brother, took steps to obtain his release on the ground of American citizenship. He procured a letter of introduction from Mayor White to the then Secretary of State, Mr. Blaine, and proceeding to Washington, laid the whole case before Mr. Blaine. On the 25th November, 1881, Mr. P. C. O'Connor received a letter from Mr. Blaine, in which it was stated that the case was one of a class receiving the attention of the government, and would take the same course as others preceding it. Mr. Blaine also reminded Mr. O'Connor that the act of Parliament under which his brother is held is a law of Great Britain, and that it is an elementary principle of public law that in such cases the government of that country, in the exercise

of its varied functions, judicial and executive, administers and interprets the law. The right of every government in this respect, says Mr. Blaine, is absolute and sovereign, and every person who voluntarily brings himself within the jurisdiction of the country, whether temporarily or permanently, whether he be a citizen or a mere resident, is subject to the operation of those laws so long as, in the case of the alien resident, no treaty stipulation or principle of international law is contravened by the proceedings taken against him. Mr. P. C. O'Connor has also, since the change made in the Cabinet, addressed quite a long communication to Mr. Frelinghuysen on the same subject, calling his attention to cases of a similar character in years gone by, with the action of various Secretaries of State in each case. *To this letter no reply has as yet been received.*"

The Secretary of State even went so far as to communicate beforehand to the British minister matter intended for Congress, as shown by the following letter :

"*Mr. West to Earl Granville.*

"WASHINGTON, *April* 6, 1882. (Received April 24.)

"MY LORD : At the request of the Secretary of State, I called upon him the day before yesterday, when he put into my hands a communication which he said he was about to make to the House of Representatives, and which, before doing so, he wished me to read, in order that it should not appear in print without my knowledge, as it related to what had passed between us respecting the Irish-American suspects. I thanked Mr. Frelinghuysen for his courtesy, and said that this communication would at all events evince the amicable spirit which animated the two governments.

"I have the honor to inclose to your lordship printed copies of this document as it was presented to the House of Representatives. I have, &c.,

"L. S. SACKVILLE WEST."

State Department "courtesy," as shown by waiting *eleven months* for the trial of an American citizen :

"*Mr. Gannon to Mr. Barrows.*

"THE JAIL, GALWAY, *April* 8, 1882.

"THE AMERICAN CONSUL,

"*Consulate, Dublin :*

"SIR : As I observe by the newspapers that representations are being made by the American Government on behalf of the American citizens who are imprisoned under 'coercion act' in Ireland, I beg to put the facts of my case in your hands, that you may have attention drawn to it through Mr. Lowell, the American minister. I am imprisoned in this jail, under the 'coercion act,' since May 7, 1881, on suspicion of being one of an unlawful assembly. I have never been brought to trial, nor do I know anything of the charge against me, nor of my accuser.

"I am a native American citizen, having been born at Hampton Hill, State of Connecticut, on the 13th December, 1852. My birth was duly recorded by Dr. Dyer Hughes. The governor of the State at the time was, I think, Governor Cleveland. Will you kindly forward these facts at once to the proper quarter, and have attention drawn to my case, as I am now *eleven months imprisoned here without trial ?*

"A note in reply will confer a favor on yours, &c.,

"JOHN LEONARD GANNON.

"(Forwarded by Consul Barrows, April 12, 1882.)"

Another phase of State Department courtesy, as shown by an interval of *four days* between the request for the trial of a British subject in the United States and the compliance therewith :

"*Mr. Lowell to Earl Granville.*

"LEGATION OF THE UNITED STATES,

"*London, March* 27, 1882. (Received March 27.)

"MY LORD : I have just received a telegram from Mr. Frelinghuysen, in which he desires me to communicate to your lordship the action he has taken in

the case of one William Lane, a British subject, who is held for trial in the prison of Detroit, in the State of Michigan. Mr. West has asked Mr. Frelinghuysen to use his good offices to secure for Lane the trial which Lane asserts he is unable to obtain. The Secretary of State has accordingly telegraphed to the attorney-general of Michigan to inquire into the facts, in order that they may be fully reported to Mr. West, and has also said that the President desires the Attorney-General to use his best endeavors to procure for Lane an early trial.

* * * * * * * * * * *

"J. R. LOWELL."

"*Mr. Lowell to Earl Granville.*

"LEGATION OF THE UNITED STATES,
"*London, March* 28, 1882. (Received March 28.)

"MY LORD: Referring to my note of yesterday, I have the honor to acquaint you that I have received this morning an additional telegram from Mr. Frelinghuysen, requesting me to inform your lordship that the British subject Lane, on whose behalf Mr. West intervened on the 24th instant, asking for a speedy trial, is now being tried. It appears that all the delays and continuances in this case have been made on the motion of Lane's counsel.

"I have, &c., "J. R. LOWELL."

The patient complacency of our Government was so encouraging to Great Britain, that not until the latter part of August, 1882, was the last of the "original suspects" released.

SENATOR VOORHEES' CONCLUSION.

Senator Voorhees thus closed his truly American speech:

"I am insisting that when the American, 'be he a native-born or naturalized citizen,' goes abroad in the peaceful pursuit of his own affairs, whether of business or pleasure, the nationality which he carries shall protect him as well from judicial as from clandestine murder; from the illegal acts of foreign governments as well as from the brutal conduct of foreign mobs. Under existing treaties with foreign powers American citizens who happen within their jurisdiction are entitled to the best, not the worst, treatment which these powers can furnish to their own people. Less than this would render our citizenship a delusion and a snare to all who relied upon it in the hour of need.

"Sir, let us look this momentous question plainly in the face. We can less afford to ignore it or trifle with it than any other government on the globe. All our interests, traditions, and every sentiment of sacred honor bind us to the most vigilant protection of our citizens wherever they may be and whatever their nativity. The American Republic was established by the united valor and wisdom of the lovers of liberty from all lands. The Frenchman with his gay disregard of danger, the German with his steady courage, the Pole with his high enthusiasm, and the Irishman with all these qualities combined were here in the long and bloody contest for American independence. La Fayette, the beloved of Washington; Hamilton, who rode by his side and assisted to organize the Government; Pulaski, who fell at the head of his legion at Savannah; De Kalb, who died upon the field with all his sabor wounds in front; Montgomery, who gave up his life in the storm of Quebec; Steuben, the accomplished military organizer; Kosciusko, with his genius and daring; and large numbers of their followers and associates were born under alien skies, and came to the banquet of battle and of death because of their love for human freedom. On every battle-plain of the revolution, from Bunker Hill to Yorktown, the bones of their countrymen have long since crumbled to dust, and at every subsequent period of American history the foreign-born citizen, in council and in field, has been faithful to the common cause for which his ancestry bled.

"There are nearly 10,000,000 American citizens and inhabitants now of foreign birth. They come not here as aliens in blood with race prejudices against them. They are our kindred; their blood and ours commingle. We are of a common parent stock. Shall they be denied the protection of those institutions which

they helped to purchase at so dear a cost, and which they have done so much to uphold and honor? Sir, there are now five Senators on this floor who were born subjects of Great Britain—three in Ireland, one in Scotland, and one in England. Shall they fall under the law of suspicion if they should revisit their native homes, be arrested at the pleasure of the British Government, cast into dungeons without sworn charge, and held there indefinitely without trial? They are as liable to such a fate as Daniel McSweeney or any other naturalized citizen, and under the servile policy of the Department of State and Mr. Lowell, they would remain in their cells instead of returning to their seats in this body.

"It has been announced that an eminent American woman contemplates a visit to her imprisoned son in Ireland. Mrs. Parnell would doubtless be arrested as a 'suspect.' There is a twofold reason why the suspicion of British spies would haunt her: she is the mother of one who believes his people ought to have a chance to own their homes, and who loves liberty and justice well enough to suffer for them; she is likewise the daughter of Stewart of the 'Ironsides,' who saluted the British flag on the high seas in 1812, to better purpose, and with far greater propriety, than the salute of October last at Yorktown. [Applause in the galleries.] I plead for the right of this woman, and of all women and men of foreign birth, or with foreign alliances, to visit their kindred, share in their joys and their sorrows, look upon the graves of their parents and caress the loved ones they left behind them, without molestation or hindrance from any power whatever, as long as they break no law. This is not a question as to the people of any one nativity; it is not an Irish nor a German question; it applies to naturalized citizens of every clime and land, and it affects their rights and their safety, on whatever sea or shore they may wander. It will be settled at no distant day in accordance with American honor. The people of the United States have too proud a sense of justice and of their own strength and glorious destiny to submit longer to the policy of a party which permits the American citizen, the American flag, and the American name to be outraged with impunity by foreign nations."

VIII. Degradation of American Labor and Society.

THE CHINESE QUESTION.

Party lines were not strictly adhered to in the consideration of the Chinese bill, but the record of the debates and votes in both the Senate and House shows the Democratic party is entitled to the chief credit for the earnest stand it made against the degradation of American labor and the impending danger to American society and theories of government.

The Republican sentimentalism upon this serious question, which should be considered from the standpoint of practical statesmanship, was expressed by Senator Hoar in a speech in the Senate March 1st, 1882.

He said:

"MR. PRESIDENT: A hundred years ago the American people founded a nation upon the moral law. They overthrew by force the authority of their sovereign, and separated themselves from the country which had planted them, alleging as their justification to mankind certain propositions which they held to be self-evident.

"They declared—and that declaration is the one foremost action of human history—that all men equally derive from their Creator the right to the pursuit of happiness; that equality in the right to that pursuit is the fundamental rule of the divine justice in its application to mankind; that its security is the end for which governments are formed, and its destruction good cause why governments should be overthrown.

* * * * * * * * * *

"The insertion of the phrase 'the pursuit of happiness,' in the enumeration of the natural rights for securing which government is ordained, and the denial of which constitutes just cause for its overthrow, was intended as an explicit affirmation that the right of every human being who obeys the equal laws to go everywhere on the surface of the earth that his welfare may require is beyond the rightful control of government. It is a birthright derived immediately from him who 'made of one blood all nations of men for to dwell on all the face of the earth, and hath determined the times before appointed and the bounds of their habitation.' He made, so our fathers held, of one blood all the nations of men. He gave them the whole face of the earth whereon to dwell. He reserved for himself by his agents heat and cold, and climate, and soil, and water, and land to determine the bounds of their habitation."

The Democratic doctrine was well expressed in the House on the 22d of March by Mr. Tucker, of Virginia, who said:

"It is said by gentlemen here, and I heard the honorable gentleman from Iowa [Mr. KASSON] this morning say, that this bill was contrary to the great principles of American policy; which is, to let everybody come at his pleasure to this 'land of the free and this home of the brave;' to this asylum for the oppressed and the downtrodden everywhere.

"Mr. Speaker, I have a proper sympathy with these sentiments, and while according much to them in our general policy, and giving large privilege to immigrants from other lands, yet when the right to come is claimed for them I protest against it as no part of our policy. I do not so read the Constitution of my country. Look at its preamble:

We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

"The men who formed that Constitution formed it for the people of the United States; for the people of the several States who were united by the former articles of confederation, but who were to be continued in unity under this Constitution.

"Gentlemen quote Scripture for their purpose:

God hath made of one—

"That is the new translation contained in the Revision which was admitted free of duty the other day, and therefore I may so quote it as by authority of Congress—

"God hath made of one all the nations of men to dwell upon the face of the earth—

"Very well, that is all true; but gentlemen forget to quote the remainder of the passage—

having determined their appointed seasons and the bounds of their habitation.

"What are these determined bounds? Asia for the Mongolian and Semetic races; Africa for the sons of Ham; Europe for the Caucasian; and America, thank God, for the great Caucasian family of nations. [Applause.]

* * * * * * * * * *

"I hold that American statesman to be the best humanitarian who is a legislator for our own country, who attends to the business and looks to the interests of our own people, and who strives for the preservation of the liberty and happiness and prosperity of the citizens of this great Union of States. [Applause.]

* * * * * * * * * *

"And yet what is the doctrine we hear advocated on this floor? It is that the Chinaman is the cheaper laborer, and therefore he should be allowed to come into this country and compete with our laborers. And gentlemen who hold to the doctrine (and I desire to call attention to this) that we ought to have a tariff high enough to protect the American laborer against the pauper laborer of Europe are instant in season and out of season in advocacy of a policy which would import millions of the poor laborers of China against whom our laborers at home must run the gauntlet of a destructive competition.

* * * * * * * * * *

"With your leave, Mr. Speaker, I will present one other point and then close. This is a graver question than one merely of trade. It is a question of the permanence, the peaceful and loving permanence of the American Union. The States on the Pacific coast, separated from us by the Rocky Mountains, are open to Asiatic immigration; we on the Atlantic coast are open to European immigration. Now, if these two tides of immigration are allowed to come in to an unlimited extent the effect will be that while we on the Atlantic seaboard will be Caucasian in our civilization the Pacific States will become Asiatic, and how can a union continue between States on the Pacific dominated by Asiatic ideas and States on the Atlantic dominated by the free principles of the Caucasian family? [Applause.]"

Senator Maxey, of Texas, stated the case in the Senate on the 3d of March as follows:

"Mr. President, I desire to place on record in a very few words the reasons which will control me in supporting the measure now before the Senate. I beg to say that in that vote I am not controlled or influenced by any ecstatic sentimentality or sublimated philanthropy which would cause me to welcome into this country consecrated to liberty regulated by law, and to Christian civilization, all the people of all climes and colors and of all nationalities, including Chinese, and without regard to their adaptability to our institutions and form of government. My views have never extended that far, but rather I believed that—

If any provide not for his own, and specially for those of his own house, he hath denied the faith, and is worse than an infidel.

"'I love my own country better than any other country, and my own race better than any other race,' was the sentiment uttered by Mr. Clay, and it expresses precisely the views I entertain. I welcome cordially the Englishman, the Scotchman, the Irishman, the Frenchman, the German, and men of my own race and color wheresoever dispersed around the globe. They come among us to enjoy

the blessings of free government, and soon become part of us. They make valuable additions to the body politic, but I trust that the refuse and dregs of the countless hordes of China will never find a welcome here.

"The Constitution of the United States, in my judgment, never contemplated the bringing of all people of all colors, climes, races, and conditions into this country and making of them citizens. There is nothing in the Constitution which will justify in my judgment such a conclusion. The Constitution is the presentation in an orderly and compact form of the great principles underlying civil and religious liberty which induced the settlement of the colonies, and which great principles, growing with the growth and strengthening with the strength of the colonies, were formulated in the Constitution of the United States. A careful examination of that instrument in view of the surrounding circumstances at that time in my judgment establishes the fact that the only people ever dreamed of to be naturalized citizens of the United States by the framers of the Constitution or by the people of the States which ratified it were people of the Caucasian race.

"The Constitution of the United States, in the eighth section, grants to Congress the power to establish a uniform rule of naturalization; and in the ninth section it declares that—

> The migration or importation of such persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year 1808, but a tax or duty may be imposed on such importation, not exceeding $10 for each person.

"Thus it will be seen that the framers of the Constitution drew a distinction between those who were to be naturalized and those who might be imported.

"In view of the surroundings, in view of the condition of things at the time of the adoption of the Constitution, we must construe it. What class of people came here at the time the Constitution was adopted and claimed citizenship in this country? The Caucasian race, and no others. Prior to the adoption of the Constitution there were settled in the colonies which became States and framed the Constitution, Caucasians and Caucasians only; white people and white people only. The colored race were not citizens. They were not made citizens by the framers of the Constitution, and never became citizens until the adoption of the fourteenth amendment. When the Constitution was adopted there were no people of the Mongolian race coming to this country, and no one who framed the Constitution or voted for its adoption ever dreamed of incorporating people of the Mongolian race into our civilization. The preamble of the Constitution recites that—

> We, the people of the United States, in order to form a more perfect Union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

"Does any man believe that the men who framed the Constitution ever for a moment thought of mingling the blood of the Caucasian race with any other race and call that their posterity? The 'posterity' which was meant in that Constitution was the pure, unmixed Caucasian race. Circumstances—and it is not necessary in this connection to give the reasons why—forced into citizenship the colored race. But they were born here among our own people; they were within our limit; they were under the control of our laws and they had to be provided for. But the Mongolian race are not of our household; they are not of our people; nor is there any thing in the Constitution which would demand or require us to provide for them by opening out and extending the benefits of this government to that class of people. It was never so designed; it was never so intended.

"Every word which is referred to by Jefferson and by all the other great lights in respect to inviting the oppressed of foreign nations to this country referred, and referred alone to the Caucasian race—to white people, to those who could come here and become assimilated with our people and amalgamated with them, and become 'bone of our bone and flesh of our flesh;' and their posterity would be pure and unmixed Caucasian, the same as those who made the Constitution. That, in my judgment, is the meaning of it, clearly, unmistakably, the meaning of the Constitution."

In a speech delivered in the Senate, March 6, Senator George, of Mississippi, said:

"If it were true (which I deny) that this bill is in conflict with the logic of the political theories in regard to the rights of mankind, which have heretofore pre-

vailed in this country, that is no insuperable objection to its passage. I do not deny that every measure should be weighed and considered in the light of accepted and recognized principles, but I do deny that every measure, however necessary to the welfare and the happiness of the people of the United States, however accordant to the teachings of experience and history, should be condemned because it conflicts with the theories of a speculative and Utopian scheme for the administration of the affairs of this world.

"Our Government has attained its present astonishing grandeur and vigor because it is the result of the growth and development of Anglo-Saxon ideas, put into practical operation by Anglo-Saxon common sense. It has not grown according to a rule prescribed by an inexorable logic, reasoning from premises which assumed an ideal perfection in human nature and attainable in human institutions. Our Constitution is the work of men, intended for the government of men, not of angels or demi-gods. It recognizes human frailties and human passions, and seeks no unattainable perfection. It was made by the American people for themselves and their posterity, not for the human race. It was ordained by the American people for their own happiness and their own welfare, and the welfare of such others as they should choose of their own free will to admit to American citizenship. That our institutions are stable; that they attain the ends of good government—security to life, liberty, and property, the progress and happiness of the American people; that they can stand any strain, however great, occasioned by unlooked-for and calamitous emergencies, is because they were evolved and were modified as circumstances demanded, and were not the result of the *a priori* reasonings of political theorists."

The Democratic doctrine upon this subject was further expressed by Senator Vest, of Missouri, who said upon the floor of the Senate, April 27th, as follows:

"When the junior Senator from Massachusetts, [Mr. HOAR,] for whose learning and eloquence I have the greatest respect, (and I read his speech last night, for I was detained from the Senate at the time it was delivered; I read it with great pleasure and great attention,) declares that this country is to become the great missionary station of the world, that the Declaration of Independence meant that our institutions were made not for Americans and for their descendants, but for the whole world to come here and take possession of this continent, bought with our blood and our treasure and that of our fathers, I deny the doctrine, æsthetical as it may be and much as it appeals to the feeling of missionary Christianity among our people.

"Sir, this is a question of practical statesmanship. I am first for my own people against the world. I am first for the American system, which protects the labor and the interests of the American people before all others.

"What is this Chinese immigration? Are they citizens of the United States? Do they come here to meet the reciprocal obligation between our people and the Government to which they owe allegiance? I understand the doctrine of government is that government protects the citizen in life, liberty, and property, and the citizen assumes the responsibilities and the duties of allegiance to the government and a part in the government of the country itself. The greatest responsibility and the greatest duty of any dweller in these United States is his share in the Government and the legislation of this great country. Do the Chinese come here to share these responsibilities? They are parasites, like those insects which fasten themselves upon vegetables or upon animals and feed and feed until satiety causes them to release their hold. They come to this country not to partake in the responsibilities of citizenship; they come here with no love for our institutions; they do not hold intercourse with the people of the United States except for gain; they do not homologate in any degree with them. On the contrary, they are parasites when they come, parasites while they are here, and parasites when they go.

"But a few weeks have elapsed, a few days I might say, since the velvety ears and silken consciences of gentlemen in this Chamber were lacerated and torn over the crime of polygamy, and we passed a bill of attainder, as I honestly believe, to strike down polygamy upon the plains of Utah. There must be but one wife in our God-loving and God-fearing civilization. Break through the Constitution, tear down its prohibitions, for a man shall have but one wife and one con-

cubine in this God-fearing, God-loving country of ours. But to-day these same gentlemen are here exhausting logic, beggaring rhetoric, tearing the language to tatters to tell you that these Chinese whose religion is polygamy, whose religion it is to have all the wives they can buy and all the concubines they can barter for, shall be permitted to come in hordes to this country. More polygamy in the shape of Chinese, but none for white men who are our citizens. That is the doctrine which is preached to-day.

"The Chinese are not only practical polygamists, but it is their religion. There is not an American instinct among them. The emperor is the head of the church and the head of the state, and despotic in every thing, both as to church and as to state. They come among us and are fungi upon our body politic, and they take from California $45,000,000 annually to be carried back to the celestial kingdom. Even when dead—as part of their contract and part of their religion—the dead-cart comes to carry back their polygamous ashes to the graves of their polygamous sires.

"Yet we are told that the Congress of the United States must legislate to strike down polygamy by means outside of the Constitution even, but the Chinese, the almond-eyed idols of the Senators from Massachusetts, are as sacred as the holy elephants of Siam!

"Mr. President, for one I am for my own people first. The adult male population of California to-day is, I believe, some two hundred and sixty thousand. Seventy-five thousand adult Chinese are now in the single State of California alone. Put that proportion of Chinese in Massachusetts, and Mr. Troup's eloquent stump speech made at North Adams would not amount to the first letter in the alphabet compared to the vehement eloquence of my distinguished friends from Massachusetts. Put the same proportion of Chinese at Plymouth Rock, and what would avail the memory of the illustrious men who brought with them civil and religious liberty to those historic shores? Resolutions and stump speeches and appeals to Congress would take the place of the æsthetic harangues which we hear to-day.

* * * * * * * * * *

"Not in the learned and eloquent speech of the junior Senator from Massachusetts does he meet the proposition as I have put it. Nowhere in this whole debate in either House of Congress has the evidence been brought that the Chinese come here for any other purpose but to fatten upon the people of the United States and carry their plunder back with them. They are not of us; they are not with us. They cannot be made Americans citizens by any process known to our laws or even to the laws of God himself. They are made for a different destiny. They are crystallized in their habits and their opinions.

"In this morning's paper I saw, copied from a San Francisco journal, that now upon the boisterous waves of the Pacific rocks a vessel filled with Chinese women, brought to this country for what? Brought here to dispense the smiles of wife and mother over happy homes? Brought here in order to be the conservative influences of a healthy civilization? Brought here in order that woman may be elevated and become the great center of all that is holy and refined and loved among men? Oh, no; brought here for the single and sole purpose of ministering to the lust and appetite of those who come here to make money to buy women with. And still our statesmen gagged at polygamy in Utah!

"Strike down white polygamy in Utah, but let in the tawny cnrse through the Golden Gate.

"Mr. President, for myself, when my people of the Pacific States, blood of my blood and bone of my bone, call to me, 'Deliver us from the body of this death, deliver us from this incubus and these fungi which are fastened upon us,' I shall not be deaf to the appeal. As Prentiss, of Mississippi, said once, 'I am first for my own hearth, then for my country, then my State, then for the Union, and then for the world.' Sir, in the concentric circles of the human heart comes at last the formation of a great Government and a great State. Take away the individuality, the home feeling, the home love of a man, and what is he? I oppose woman suffrage because it brings down the deity of home, woman, as wife and mother. I oppose it because it destroys all that is conservative and sacred in society.

"For the same reason, among others, I oppose Chinese immigration. They have

no homes with us; they come here to carry back $45,000,000 annually from the people of California, and leave behind them only the memory of their vile habits and their most infamous doctrines.

"To the thrifty German, the generous and gallant Celt, the hardy Scandinavian, to all who come to share the responsibilities and work out the problem of our civilization and destiny, to all who seek home and shelter in our vast domain, fling wide the portals; but to the people that come not for homes or shelter but only for gain, who have no share in our destiny, no love for our institutions, no reverence for our religion, we have the right to say, and do say, 'You have no lot or part in this great matter.'

In a speech in the Senate, April 25th, Senator Morgan (Democrat) said:

"There is no mere sentimentality on our side of this question. We are driven by facts, which we cannot resist or avoid, to the conclusion that it has become a solemn necessity on our part to protect the Caucasian race on this continent against the intrusion of the oriental people. We make no war against a man because he is black, or white, or red, or yellow; because he speaks one dialect or another. Ours is the expression of a firm and solid conviction that the Government of the United States under its peculiar organism is designed for a higher class of intelligence and virtue than that which belongs to the people who are migrating to this country from Asia in such swarms. We believe in the sanctity of the patrimony handed down to us by our fathers. We believe in its value morally, socially, and materially. We believe that it is our right and privilege, in competition with the great race to which we belong, to move this continent and this hemisphere to the front of the advanced march of civilization in such manner as to add to the glorious renown which this people have already won in the history of mankind, and we do not wish nor do we propose to be obstructed in this career by the introduction of a class of men who have no claim upon us except upon some vagary of diseased and mawkish sensibility."

DEBATE IN THE HOUSE.

In the House as well as Senate sentimental arguments in favor of the Chinese came from the Republican side. Mr. Williams, (Rep.,) of Wisconsin, said:

"I believe the bill violates the fundamental traditions of our Government; and to do this, in order to rectify a local and temporary evil, is, in my judgment, like drawing blood from the human body to quench its thirst. I know it is said that this is mere sentiment against sense—the romance of the imagination against the practical affairs of life—the play of the emotions against the sounder maxims of the law. But I am not disturbed by that, sir. I do not forget that for the last thirty years and more all who have stood for the vital issues of the time have been graciously treated to the same reminders; yet how many of these despised sentimentalists have been compelled to take the back track—to explain their record or deprecate their action?

"What is sentiment but feeling fortified by truth and logic? And thus fortified, is it not the impelling power of nations as it is of men? Logic without feeling is dead. It is non-logic, for it leaves out of the major premise the emotions of humanity; but feeling, springing from the principles of justice and right, is the life-growth of the world. Sentiment in the mental world is like electricity in the physical. Unobstructed it flows on unseen; but obstruct it and it will upheave empires and shake continents."

A more practical view was taken by the Democratic side. Mr. Flower, (Dem.,) of New York, pointed out the effect upon the laboring classes in the following language:

"The question before the House is, in my opinion, a simple one. It can be summed up in one word, shall we protect our labor, or shall we allow it to be degraded to the cooly standard? This is what we are to decide upon, whether we shall afford protection to our laborers, or whether we will be content to protect capital only, and leave labor out of consideration. There is no question of

principle; there is no question of sentiment; the question is solely and simply relative to the price of labor.

"The cooly system is a system of slavery; Chinese labor is brought here by companies for a certain sum per capita. It comes to perform certain work, to secure certain pay, and finally to return home so much the richer. It comes in the interest of those who are obliged to employ labor. It comes to aid those who have mines to work, or railroads to build, or factories to be manned, or labor of any sort to be done. It is bought and brought by capital to increase the profits of capital; it is a wage-saving, labor-robbing, wage-reducing machine, bought and worked in the interest of capital. The tool itself—the Chinaman—is the passive instrument in the hands of masters. He sells himself from home, from friends, from family, to further the selfish scheme of his employer. He places himself in the hands of his purchaser. He comes, he toils, he suffers without ceasing; he serves out his time threefold, as did Jacob of the olden time. He returns with whatever pay he can get from his greedy lord. While here his only care is to spend nothing, his constant dream to leave. His rice, rats, and clothes are with him. These are his items of expenditure, and cost him almost nothing.

"Finally he goes home rejoicing in the act. He does not want to stay; none want to have him stay; all parties are glad when he goes. He does not come like other immigrants, fleeing from oppression, but voluntarily comes to be oppressed. This is not a country of his adoption. He refuses citizenship and scorns a grave in this land of liberty.

"He does not come with his wife and children to find a permanent home, but expressly for the purpose of taking back to his wife and children some of the comforts of which he has deprived our citizens. Not like the European immigrant, who brings us wealth and a love of liberty, he comes to take wealth away, and to stamp upon labor the servile characteristics of his race.

"These are the facts. Can there be any romance or sentiment in a matter of such a sort?

"Sir, I will not enter into the sentiment of such a proceeding. I will not discuss our country's being free to all. I will not ask whether she is exclusive or inclusive. But, sir, I wish to call attention to the fact that she may be free to all men, or she may be issuing invitations to all men to come and settle in her borders, and yet be consistently averse to allow premeditated spoliation by any man.

"I wish to ask the House if there are any other things which she allows to come here and carry off her gold but men; if there are any other machines for cheapening products which she invites to come in duty free?

"There is not one. No country can send us any of her goods to be sold to the disadvantage of our producers. No country can bring the products of its looms and workshops to compete with ours in home markets. No land can encroach upon our manufacturers or deprive them of their profits. No foreign competition can reduce their rate of gain. China, that land of poverty and wealth, that miracle of cheapness, can send all her labor to grind down American wages, while the products of capital can come no nearer ours than a 50 per cent. tariff will allow. I do not discuss tariff; I do not discuss equal rights; I do not discuss American citizenship. But when I hear Republicans who will go to the polls shouting protection to American industries; when I hear the men who boast of their kind patronage and fatherly protection to American labor; when I hear these men protest against a bill looking to the expulsion of pauper labor from our midst; when I hear them sound the trumpet of the cooly system and the principle of freedom together; when I see them attempting to deprive the American laborer of his employment by introducing a class of 'helots;' when I see them trying to drive our native-born and adopted citizens from their vocations by the aid of mercenaries; when I see them advocating protection and at the same time importing labor machines free of duty, I can neither doubt their inconsistency nor trust their disinterestedness.

"The strongest instinct of the human race is self-preservation. The next, love of offspring. When you ask men to cut off the comforts of their homes, to decrease the advantages their children enjoy, to go out and work in competition with a pauper or a slave, to welcome to their land of comfort and civilization a heathen coming to reduce them to his level, when you ask this in the name of liberty and equal rights you profane their names.

"Liberty and equal rights are liberty and equal rights of men, not of slaves.

not of coolies. The freedom of an eating, drinking, opium-smoking, working automaton is not the freedom which our citizens enjoy. The rights of a well-worked machine are not their rights; they have higher rights and broader liberties, and they use them. They have the chance of education and of promotion; they have the liberty of self-protection against injustice. Ask them to weigh these rights, these liberties, these advantages against the hypocritical sentiment which would leave their lives one bitter, ceaseless struggle with starvation, and I am confident the veil will be torn from the idol, and the philanthropic schemer, unmasked, will stand out in his true colors. My vote shall go toward closing the gap between capital and labor on the American continent. The gap has become too broad already. I am in favor of any measure that will ameliorate and elevate labor, and I shall vote for this bill on that principle."

Mr. Curtin, (Dem.,) of Pennsylvania, also presented the Democratic view of the question from the standpoint of practical statesmanship. He said in a speech delivered in the House March 23, 1882:

"Disguise it as you will, conceal or cover it with the humanitarian principles underlying our structure of government, summon from the history of the past as has been done on this floor during the long debate the sublime utterances of the Continental Congress through the Declaration of Independence, what is the question we are to meet on our votes on this measure? It is sentiment and only sentiment; and it fades before the wonderful growth and changing interests of the country, its progress, its wealth, its great future, and the true logic of the necessities of the condition of our people and Government now present, as did the silver tones of the great bell when the fathers of the Republic sealed their immortal fame in the declaration, and rung out the proclamation of liberty and equality to all humanity. And here we are in the presence of the question which, I repeat, is the protection of American labor. Do we prefer to have 100,000 Chinamen take the place of 100,000 American laborers, part and parcel of the body-politic, owing allegiance to our Government, with the right of the ballot, insuring for their children our free education, and with American hopes and aspirations?

"I say to my friends on the other side if you are in favor of protecting labor you now have the opportunity.

* * * * * * * * * * *

"It is said on this floor, and it is a sentiment which can bear repetition, that we opened the portals of our Government and invited the oppressed people of all the world to come here in peaceful approach and enjoy our true civil and religious liberty and the dead-level of American social organization; and yet who would for a moment believe in that liberal declaration which is claimed in its behalf in this discussion.

"We would not suffer paupers or criminals or diseased people to come here to spread contagion or disturb us by crime in order to make this continent a great reformatory asylum, which it would become if the declarations of gentlemen on this floor were carried to their full and logical conclusions. We might reform such people and cure their diseases, but they might infuse their virus into the health and morality of the American people.

"There will come a time when the great nation will be understood by all the family of the nations of the world; and the governments of the nations of Western Europe cannot regard us and our free system with the satisfaction and the affection of which we are accustomed to hear so much, and which, I must be permitted to say, is the sublimity of sentimentalism.

"Our great ideas of human liberty and the rights of the citizen have undermined the legitimate governments of Europe silently, constantly, progressively, and surely to final consummation, until centralized power has been heroically claimed, demanded by, and given to the masses, and the emperor and the king remain but the nominal heads of governments where public opinion has asserted its power in the regulation of all authority, and is rapidly settling their destiny for the future, when their governments will be more and more assimilated to ours. We take the German, the English, the French, the Irish, the Scandinavian, people from all nationalities of Western Europe. They or their children learn our language, accommodate themselves to our social organization, swear alle-

giance to our Government, become part of our people—our equals. They deserve our protection, as they contribute to our wealth. The Chinaman, in his instincts, in his birth, and his feelings remains a Chinaman after twenty-five years' residence upon the western slope. He is without the influence and happiness of home, wife, and children, and his rigid, selfish nature is not chastened by the influences of social enjoyments. The Chinaman has not broken his allegiance to his native country. He is incrusted in and controlled by superstition and caste, which has bound him in its fetters and his country for more than fifty centuries, and no matter to the Chinaman how long he remains in this country, those who know him best and have studied his nature and habits tell us the desire to return once again to the Flowery Kingdom is ever present with him, and in the article of death his last wish is that his bones shall be sent back and buried there.

"The Representatives from the Western coast tell us that he only seeks to get money enough to return to China and provide for his scanty living there. He never has assimilated with our people, and he never will. Surely if he ever intended to, the experiment of twenty-five years has failed to accomplish what gentlemen on the other side say may be accomplished in the future. It is perfectly proper that we should feel for oppressed humanity, that we will give to all the people of the earth our Christian faith, and teach them to demand as their natural right the large liberty and individuality which we enjoy and cultivate under our system of government; but it is carrying sentiment to the extreme when we will not relieve the people of any part or section of this country from the presence of men who they allege do not contribute to their prosperity, but degrade the labor of the American, and who fail to become citizens of the United States, yield allegiance to our government, or accept our religious faith, our language, or our morals.

* * * * * * * * * *

"I have said, Mr. Speaker, that it is a common and favorite topic, however sincere, to speak of labor, and very much has been said of its power and its demands for just protection by and through the Government. This Government should give protection to the laboring classes in any enactment of this Congress. The object of previous legislation has generally been the protection of capital, and the protection of their interests the incident. Sir, we have given away empires to corporations. We raise subsidies. We extend the credit of our Government to assist centralized and incorporated capital, and we protect the products of our own ingenuity and industry by imposing duties on foreign competition when we raise revenue. Of that I do not complain, because I know capital offers enterprises in which labor will find employment and pay. And, sir, if the centralization of power and of capital, which I must not think that American citizens look upon with satisfaction for the future of this country, and if we do not direct the legislation made to the protection of all classes engaged in and necessary to develop our resources in which capital is invited to active employment we fail in our duty. There should be perfect harmony between capital and labor. One is dependent upon the other; and it must be remembered that capital is much more able to take care of the interest of capital than labor can be of labor. Independently of the Government there is scarcely in this country any of the enterprises or avenues through which capital finds its direction and employs labor where there are not combinations to regulate the supply and demand, provide for markets, and sometimes, I regret to say, fix the price of wages.

"When incorporated companies or associated capital can combine to establish prices of production or carriage or the value of labor, or at their pleasure or convenience fix the value of the productions of the farm or the price which shall be paid for the products in our markets or needed in the prosecution of their business, it is not strange, indeed, that we are often disturbed by the restlessness of laborers. My learned and eloquent friend from Mississippi read in the course of his remarks a report made of a farm of thirty thousand acres in California, where Chinamen were employed, in which it was stated that they were patient and obedient workmen and in no danger of strikes; and that no doubt is the testimony of men who employ them, and it is true patience and docility are not characteristics of freemen. If capital can combine labor has the right to reasonable and enlightened association in self-defense. Meetings are constantly occur-

ring all over the country in almost every State at this time by men who earn their living by the sweat of their face, and those who have noticed the proceedings of recent meetings of that character must have noticed with great satisfaction that there is no violence threatened, no intimation of any breach of the law, but they have associated for the purpose of getting the highest possible pay for a fair day's work. They have the right to refuse to work when they believe the compensation inadequate to their necessities unless they are serving under an agreement. They have not the right to interfere with the rights or interests of others and their enjoyment of the blessings of our Government, or to destroy property, nor, as I understand the proceedings, do they claim the right to prevent or interfere with others who desire to work when they refuse, because then they are in violation of the law, as the rights of others have intervened. I cannot but regard the recent proceedings and utterances of workingmen as tending to an intelligent understanding between labor and capital and to their mutual prosperity.

"Now, sir, it is not likely to occur, but it is possible to bring 50,000 Chinamen from California and settle them down in Massachusetts, at Lowell or Lynn or Fall River or other enterprising towns, where they are as busy as bees in their productive industries, and thus displace 50,000 Massachusetts workmen and laborers. I apprehend the enlightened workmen who now make the flourishing cities I have mentioned so prosperous and yield such plentiful returns to the capital invested in their manufacturing establishments, I apprehend, sir, that strikes might be expected, and John Chinaman would not fare better, or as well, in the land and under the protection of the steady habits and exalted political ideas of the Puritan; and the violent denunciation of the enlightened Yankee orator would dwarf into harmless inane prattle, the crude oratory of the shambles and the sandlots of California. [Laughter and loud applause.] Then, sir, they would scarcely entertain the sympathy that now goes out with such generosity, and in the expression of which their members on this floor are so eloquent, toned and beautified by the perfection of their language.

"If, then, the introduction of forty or fifty thousand Chinamen would interfere with the rights or the interests or happiness or ability to work in New England, where so much of their prosperity depends on labor, we have the right, nay, it is our duty when the people of a great State, one of the great sovereignties which make up our Government, ask for relief, to grant it if in our power. If New England could not tolerate such an invasion, and the Chinaman in thousands should be carried to the South by capital, seeking cheap labor; or if he should go there to a climate adapted to his nature and work and production, in harmony with his life and teachings, what would become of the colored man, and what of the poor white man of that section? Who would inflict such a grievous wrong on the black man, the ward of the nation, and take from him the interests, the teachings, and sympathy of the white man, his real friend? Such a calamity is not to be for a moment contemplated to the colored man of this nation.

"I will most heartily give my vote for this bill; and accepting the principle as admitted by all the gentlemen who have discussed this question that we have the right to put a limitation on the immigration of the Chinese people under the treaty with that nation, a question I need not now discuss, I will vote for twenty years' suspension of immigration because, first, we assert the right; we believe the representations made by all the people of the Pacific coast to be true, and they are our own people, and as they are the best judges of the limitations as to time, I yield any judgment I might have to the better judgment of those who should understand this question. When we concede to their judgment we give it force and effect by our legislation in this Congress. [Great applause.]"

VOTE IN THE HOUSE.

The original bill suspending the immigration of Chinese laborers for a period of 20 years passed the House March 23 by the following vote.

The question was taken; and there were—yeas 167, nays 66; as follows:

YEAS—167.

*Aiken,	*Davis, Lowndes H.	*Hutchins,	*Rosecrans,
*Aldrich,	De Motte,	Jones, George W.	Scranton,
*Armfield,	*Deuster,	*Jones, James K.	Shallenberger,
*Atkins,	Dezendorf,	Jorgensen,	Sherwin,

Bayne,
Belford,
*Belmont,
*Berry,
Bingham,
*Blackburn,
*Blanchard,
*Bliss,
*Blount,
Brewer,
Brumm,
*Buckner,
Burrows, Jos. H.
Butterworth,
*Cabell,
*Caldwell,
Calkins,
Campbell,
Cannon,
*Cassidy,
Caswell,
*Chalmers,
*Chapman,
*Clark,
*Clements,
*Cobb,
*Converse,
*Cook,
Cornell,
*Cox, Samuel S.
*Cox, William R.
*Covington,
*Cravens,
*Culberson,
*Curtin,
Darrell,
*Davidson,
Davis, George R.
*Dibble,
*Dibrell,
*Dowd,
*Dugro,
*Ermentrout,
Errett,
Farwell, Chas. B.
*Finley,
*Fowler,
Ford,
*Forney,
Fulkerson, (Readj.)
*Garrison,
*Geddes,
George,
*Gibson,
Guenther,
*Gunter,
*Hammond, N. J.
*Hardy,
Harmer,
*Harris, Henry S.
Hazeltine,
*Hatch,
Hazelton,
Heilman,
*Herndon,
*Hewitt, Abram S.
Hill,
Hiscock,
*Hoblitzell,
*Hoge,
*Holman,
Horr,
Houk,
*House,
Hubbell,
Hubbs,
*Kenna,
*King,
*Klotz,
*Knott,
Ladd,
*Leedom,
Lewis,
Marsh,
*Martin,
*Matson,
McClure,
McCook,
*McKenzie,
McKinley,
*McLane,
*McMillin,
Miller,
*Mills,
*Money,
Morey,
*Moulton,
Murch,
*Mutchler,
O'Neill,
Pacheco,
Page,
Paul, (Readj.)
Payson,
Peelle,
*Phelps,
*Phister,
Pound,
*Randall,
*Reagan,
Rice, Theron M.
*Richardson, Jno. S.
*Robertson,
*Robinson, Wm. E.
*Simonton,
*Singleton, Otho R.
Smith, A. Herr,
Smith, Dietrich C.
Smith, J. Hyatt (Ind.)
*Sparks,
Spaulding,
*Speer,
*Springer,
*Stockslager,
Strait,
*Talbott,
Thomas,
*Thompson, P. B.
*Tillman,
Townsend, Amos
*Townshend, R. W.
*Tucker,
*Turner, Henry G.
*Turner, Oscar
Updegraff, J. T.
*Upson,
Valentine,
*Vance,
Van Horn,
*Warner,
Washburn,
Webber,
*Wellborn,
*Whitthorne,
*Williams, Thomas
*Willis,
Willits,
*Wilson,
*Wise, George D.
*Wise, Morgan R.
Wood, Walter A.

NAYS—66.

Anderson,
Barr,
*Bragg,
Briggs,
Browne,
Buck,
Camp,
Candler,
Carpenter,
Chace,
Crapo,
Cullen,
Dawes,
Deering,
Dingley,
Dunnell,
Dwight,
Farwell, Sewell S.
Grout,
Hall,
Hammond, John
*Hardenbergh,
Harris, Benj. W.
Haskell,
Hawk,
Henderson,
Hepburn,
*Hooker,
Humphrey,
Jacobs,
Jones, Phineas
Joyce,
Kasson,
Ketcham,
Lord,
McCoid,
*Morse,
Norcross,
Orth,
Parker,
Ranney,
Reed,
Rice, John B.
Rice, William W.
Rich,
Richardson, D. P.
Ritchie,
Robinson, Geo. D.
Russell,
Ryan,
Shultz,
Skinner,
Spooner,
Stone,
Taylor,
Thompson, Wm. G.
Tyler,
Updegraff, Thomas
Urner,
Wadsworth,
Wait,
Walker,
Ward,
Watson,
White,
Williams, Chas. G.

The second bill, prepared after the President's veto, suspended the coming of Chinese laborers for 10 years. It passed the House April 17 by the following vote:

YEAS—261.

*Aiken,
Aldrich,
Anderson,
*Armfield,
*Atkins,
Bayne,
*Beach,
Belford,
*Berry,
Bingham,
*Blackburn,
*Blanchard,
*Bland,
*Blount,
*Buchanan,
*Buckner,
Burrows, Julius C.
Burrows, Jos. H.
Butterworth,
*Dibble,
*Dibrell,
*Dowd,
Dunnell.
*Ermentrout,
Errett,
*Evins,
Farwell, Chas. B.
*Finley,
Fisher,
*Flower,
Ford,
*Forney,
Fulkerson, (Readj.)
*Geddes,
George,
*Gibson,
Guenther,
*Gunter,
*Kenna,
Ketcham,
*Klotz,
*Knott,
Lacey,
Ladd,
*Latham,
*Leedom,
*Le Fevre,
Lewis,
Lord,
*Manning,
Marsh,
Mason,
*Matson,
McClure,
McCook,
*McKenzie,
McKinley,
*Robinson, Wm. E.
*Rosecrans,
*Ross,
Russell,
Ryan,
Scranton,
*Shackelford,
Shallenberger,
*Shelley,
Sherwin,
*Simonton,
*Singleton, Otho R.
Smith, A. Herr
Smith, Dietrich C.
Smith, J. Hyatt (Ind.)
*Sparks,
Spaulding,
*Speer,
Spooner,

*Cabell,	*Hammond, N. J.	*McLane,	*Springer,
*Caldwell,	*Hardy,	Miles,	Steele,
Calkins,	Harmer,	Miller,	Strait,
Camp,	*Harris, Henry S.	*Money,	*Talbott,
Campbell,	HASELTINE,	Morey,	*Tilman,
Cannon,	Haskell,	*Morrison,	Townsend, Amos
*Carlisle,	*Hatch,	MOSGROVE,	*Townshend, R. W.
*Cassidy,	Hawk,	*Moulton,	*Turner, Henry G.
Caswell,	Hazelton,	*Muldrow,	*Turner, Oscar
Chace,	Heilman,	MURCH,	Tyler,
*Chalmers,	*Herbert,	Neal,	Updegraff, J. T.
*Chapman,	*Herndon,	*Nolan,	*Upson,
*Clardy,	*Hewitt, Abram S.	Oates,	Urner,
*Clark,	*Hewitt, G. W.	O'Neill.	Valentine,
*Clements,	Hill,	Pacheco,	*Vance,
*Cobb,	Hiscock,	Page,	Van Horn,
*Colerick,	*Hoblitzell,	Paul, (Readj.)	Wait,
*Converse,	*Hoge,	Payson,	*Warner,
*Cook,	*Holman,	Peelle,	Webber,
*Cox, Samuel S.	Horr,	Peirce,	*Wellborn,
*Covington,	Houk,	*Phelps,	West,
*Cravens,	*House,	Pound,	*Wheeler,
*Culberson,	Hubbs,	Prescott,	White,
Cullen,	*Hutchins,	*Randall,	*Whitthorne,
*Curtin,	Jacobs,	*Reagan,	*Williams, Thomas
Darrell,	Jadwin,	Reed,	*Willis,
*Davidson,	JONES, GEORGE W.	RICE, THERON M.	Willits,
Davis, George R.	*Jones, James K.	Rich,	*Wise, George D.
*Davis, Lowndes H.	Jones, Phineas	*Robertson,	*Wise, Morgan R.
De Motte,	Jorgensen,	Robeson,	
*Deuster,	Kasson,	Robinson, Geo. D.	
Dezendorf,	Kelly,	Robinson, James S.	

NAYS—37.

Bowman,	Farwell, Sewell S.	Norcross,	Stone,
*Bragg,	Grout,	Orth.	Thompson, Wm. G.
Briggs,	Hall,	Parker,	Van Aernam,
Buck,	Hammond, John	Ranney,	Van Voorhis,
Carpenter,	*Hardenbergh,	Ray,	Wadsworth,
Crapo,	Humphrey,	Rice, John B.	Ward,
Dawes,	Joyce,	Rice, William W.	Williams, Chas. G,
Deering,	McCoid,	Ritchie,	
Dingley,	Moore,	Shultz,	
Dwight,	*Morse,	Skinner,	

The first bill, suspending Chinese immigration for twenty years, passed the Senate March 9th, as follows:

YEAS—29.

*Bayard,	*Garland,	Jones of Nevada,	Teller,
*Beck,	*George,	Miller of Cal.,	*Vance,
*Call,	*Gorman,	Miller of N. Y.,	*Vest,
Cameron of Wis.,	Hale,	*Morgan,	*Voorhees,
*Cockrell,	*Harris,	*Pugh,	*Walker.
*Coke,	Hill of Colorado,	*Ransom,	
*Fair,	*Jackson,	Sawyer,	
*Farley,	*Jonas,	*Slater,	

NAYS—15.

Aldrich,	Conger,	Frye,	McDill,
Allison,	*Davis of Illinois,	Hoar,	McMillan,
Blair,	Dawes,	Ingalls,	Morrill.
*Brown,	Edmunds,	Lapham,	

The second bill, suspending it for ten years, passed the Senate April 28th, as follows:

YEAS—32.

*Beck,	*Farley,	*Johnston,	*Pugh,
*Butler,	*Garland,	*Jonas,	Saunders,
*Call,	*George,	Jones of Nevada,	*Slater,
Cameron of Wis.,	*Grover,	*Maxey,	*Vance,
Chilcott,	Hale,	Miller of Cal.,	Van Wyck,
*Coke,	*Hampton,	Miller of N. Y.,	*Vest,
*Davis of Illinois,	*Harris,	*Morgan,	*Walker,
*Fair,	Hill of Colorado,	*Pendleton,	*Williams.

NAYS—15.

Allison,	Edmunds,	Hoar,	Morrill,
Blair,	Frye,	Ingalls,	Platt,
Conger,	Harrison,	Lapham,	Sherman.
Dawes,	Hawley,	McMillan,	

IX Corruption of the Civil Service.

REPUBLICAN PARTY ASSESSMENTS.

The tendency of the Republican party toward corruption and decay was never better exemplified than during the present campaign. Notwithstanding the reckless spoils system culminated a year ago in the assassination of their President, the Republicans continue their demoralizing practices and ridicule the idea of reform. Their latest insult to society and the cause of good government is the assessment of federal office holders.

HUBBELL'S FIRST LETTER.

The following is the first letter sent out by the Republican Congressional Committee:

[Jay A. Hubbell, Chairman; D. B. Henderson, secretary; executive committee, Hon. W. B. Allison, Hon. Eugene Hale, Hon. Nelson W. Aldrich, Hon. Frank Hiscock, Hon. George M. Robeson, Hon. Wm. McKinley, jr., Hon. George R. Davis, Hon. Horatio G. Fisher, Hon. Horace F. Page, Hon. W. H. Calkins, Hon. Thomas Ryan, Hon. William D. Washburn, Hon L. C. Houck. Hon. R. T. Van Horn, Hon. Orlando Hubbs.]

HEADQUARTERS OF THE
REPUBLICAN CONGRESSIONAL COMMITTEE, 1882,
520 THIRTEENTH STREET, NORTHWEST,
Washington, D. C., May 15, 1882.

SIR: This committee is organized for the protection of the interests of the Republican party in each of the Congressional districts of the Union. In order that it may prepare print and circulate suitable documents illustrating the issues which distinguished the Republican party from any other and may meet all proper expenses incident to the campaign, the committee feels authorized to apply to all citizens whose principles or interests are involved in the struggle. Under the circumstances in which the country finds itself placed, the committee believes that you will esteem it both a privilege and a pleasure to make to its funds a contribution, which it is hoped may not be less than $ ——. The committee is authorized to state that such voluntary contribution from persons employed in the service of the United States will not be objected to in any official quarter.

The labors of the committee will effect the result of the Presidential election in 1884 as well as the Congressional struggle; and it may therefore reasonably hope to have the sympathy and assistance of all who look with dread upon the possibility of the restoration of the Democratic party to the control of the Government.

Please make prompt and favorable response to this letter by bank-check or draft or postal money order, payable to the order of JAY A. HUBBELL, acting treasurer, P. O. lock box 589, Washington, D. C.

By order of the committee,

D. B. HENDERSON, *Secretary.*

There are some men "who look with dread upon the possibility of the restoration the Democratic party to the control of the Government." They are the lobbyists and jobbers who have held high carnival at Washington during the first session of the 47th Congress, and the pampered pets of special legislation.

The blackmailing of employees of the Government has been carried by Mr. Hubbell and his committee to an extent unheard of before the present campaign. Never before were women employed in the Departments, many of them widows, daughters, or sisters of the heroes who lost their lives to preserve the Union, subjected to the rack; nor the scrub women, the laborers on public works, the boys in the printing offices, the employees of the House, including the pages, and, doubtless, the Chaplain, who devoutly prays each day for the salvation of Mr. Hubbell, Mr. Robeson, and their associate members. The committee has actually

had the assurance to send their circulars to the Democratic employés of the Senate.

ITS RECEPTION AT THE INDIAN SCHOOL.

Among the thousands of Government employés, male and female, scattered over this broad country, upon whom this tax was levied, are the following teachers, nurses, &c., of the Indian Training School at Carlisle, Pennsylvaani. We reproduce an account of it as published in the *New York Sun,* and afterwards re-Published in the *Congressional Record,* July 12, 1882, as part of the remarks of Mr. Cox, of New York:

HARRISBURG, PENNSYLVANIA, *July* 9.

The persevering meanness of the Hubbell assessment is strikingly exemplified in the levy made upon one of the Government institutions which ought to be furthest removed from any sort of partisan control and from the visit of the toll-gatherer. The old Government barracks at Carlisle, Pennsylvania, some eighteen miles up the Cumberland Valley from this city, have for some years past been used as an Indian training school, and under the direction of Captain Pratt of the regular Army the work of instructing the Indian children of both sexes in the useful arts and domestic life has been most satisfactorily prosecuted. The school and the admirable work it is doing have not only attracted the hearty interest and earnest commendation of the surrounding community, but every official inspection and examination increase the high favor with which it is regarded by those whose special duty it is to fairly investigate this new and salutary mode of treating the Indian problem.

Such a thing as political service, or the interference of partisan marplots in the management of the school has never been broached. Its official staff has at least felt free from any such danger as that. But the members of its corps and its instructors, assistants, nurses, and laborers have been startled at receiving notice that they are expected to furnish 2 per cent. of their salaries to Hubbell's committee to assist in the election of Republican members of Congress. The levy in detail falls upon them as follows:

Captain R. H. Pratt, superintendent	$20 00
Mr. Norman, assistant superintendent	12 50
Mr. Campbell, marshal and disciplinarian	12 50
Etadhleuh Doanmore, (Indian) assistant	8 00
Mr. Harris, blacksmith	12 50
Mr. Reighter, tailor	12 50
Mr. Walker, tinner	12 50
Mr. Meller, farmer	18 00
Mr. Cook, shoemaker	9 00
Mr. Chapman, saddler	12 50
Mr. Hummel, carpenter	12 50
Mr. Baird, assistant	18 00
Miss Semple, principal	18 00
Miss Hyde, matron	15 00
Mrs. Sheverick, in charge of small boys	9 00
Samuel Jordan, colored laborer	8 00
Miss Morton, teacher	10 00
Miss Patterson, teacher	10 00
Miss Cutter, teacher	10 00
Miss Booth, teacher	10 00
Miss Fisher, teacher	10 00
Miss Eley, teacher	10 00
Miss Burgess, teacher	10 00
Miss Phillips, teacher	10 00
Mrs Worthington, superintendent of industrial room	8 00
Mr. Gould, chief clerk	20 00
Miss Robertson, clerk	15 00
Mrs. Spain, laundress	15 00
Mrs. Platt, mistress of dining room	9 00
Dr. Stewart, post surgeon	12 50
Miss Wilson, hospital nurse	12 50
George Foulk, hostler	6 00
Total	388 50

There is probably not a member of the entire staff of this institution who owes his or her place to political influences, and certainly the tenure of none of them dependent on Republican supremacy in the State or nation. The managers and teachers themselves, mostly ladies, it will be noticed, take little or no interest in politics, and are even reticent upon this assessment business, this information regarding it being obtained accidentally. Several of them, including Captain Pratt and a number of his chief assistants, are pronounced Democrats, and it is safe to say that they will not respond to HUBBELL'S call, and if disturbed for their refusal it will be by some influence outside of the institution itself. What the silver-haired matron, the venerable nurse, the blooming school-marms, the hostler, and day laborer will do about it remains to be seen. But the ineffable impudence of "Dear HUBBELL'S" extortionate demands was never better illustrated than by this comprehensive levy.—*New York Sun.*

HUBBELL'S SECOND LETTER.

The second letter has the true highwayman ring, and is more in harmony with the characteristics of the stalwart leaders. It is as follows:

WASHINGTON, D. C., August 15, 1882.

SIR—Your failure to respond to the circular of May 15, 1882, sent to you by this committee, is noted with surprise. It is hoped that the only reason for such failure is that the matter escaped your attention owing to press of other cares.

Great political battles cannot be won in this way. This committee cannot hope to succeed in the pending struggle if those most directly benefited by success are unwilling or neglect to aid in a substantial manner.

We are on the skirmish line of 1884, with a conflict before us, this fall, of great moment to the Republic, and you must know that a repulse now is full of danger to the next Presidential campaign.

Unless you think that our grand old party ought not to succeed, help it now in its struggle to build up a new South, in which there shall be, as in the North, a free ballot and a fair count, and to maintain such hold in the North as shall insure good government to the country.

It is hoped that by return mail you will send a voluntary contribution equal to two per cent. of your annual compensation, as a substantial proof of your earnest desire for the success of the Republican party this fall, transmitting by draft or postal money order, payable to the order of JAY A. HUBBELL, Acting Treasurer, post office lock box 589, Washington, D. C.

Through its committee, the "grand old party" confesses that "great political battles cannot be won in this way;" that is, without a monster corruption fund.

Mr, Hubbell's committee did not rely upon letters alone, but employed collectors, who visited the Departments and saw the clerks who had not paid. These collectors were paid a percentage on their collections, and were allowed to enter the various public buildings for this purpose during office hours, in disregard of the rules prohibiting all others having business with clerks from seeing them durlng office hours,

PENNSYLVANIA ASSESSMENTS.

Not to be outdone by Federal highwaymen, the State officials of the Republican party in Pennsylvania have also taken to the road, as may be seen from the following letter:

HEADQUARTERS REPUBLICAN STATE COMMITTEE,
ST. CLOUD HOTEL, PHILA.

Chairman, Thomas V. Cooper; Secretaries, Lucius Rogers, C. L. Magee, Samuel F. Barr, John McCullough, M. A. Arnholt, Harry Buch, Thomas Wilson, Wm. M. Allison, Jos, Ad, Thomson, Selim S. Thomas, William I. Newell, W. H. Ritter.

Miss —— ——:

The Republican State Committee desires to make complete preparations for what must prove a great battle with the Democratic party. It must prepare, print, and circulate suitable documents touching the issues involved, and do all things for success which may be legitimately done. The struggle involves not only the administrative and legislative control of the State, but that representation in Congress which will determine its political standing. In such a battle we believe that you will esteem it both a privilege and a pleasure to make to its funds a contribution, which, it is hoped, may not be less than $18.

The committee is authorized to state that such voluntary contribution from persons employed in the service of the State or of the United States will not be objected to in any official quarter.

Please make prompt and favorable response by bank check or draft, or postal money-order, payable to the order of the chairman of the Republican State Committee. Direct as indicated in the heading of this letter.

THOS. V. COOPER, *Chairman.*

It is yet too early in the campaign for Mr. Hubbell to have issued a circular of the nature of the following:

PHILADELPHIA, *October* 25, 1880.

DEAR SIR: Our books show that you have paid no heed to either of the requests of the committee for funds. The time for action is short. I need not say to you that an important canvass like the one now being made in a State like Pennsylvania requires a great outlay of money, and we look to you as one of the Federal beneficiaries to help bear the burden. Two per cent of your salary is ——. Please remit promptly.

At the close of the campaign we shall place a list of those who have not paid in the hands of the head of the department you are in.

Truly yours.

JOHN CESSNA, *Chairman.*

NEW YORK ASSESSMENTS.

We have not had the misfortune to meet with the assessment letter used by the Republican Committee of New York State during the present campaign, but it probably is a copy of the one used in 1880; with the addition of more positive orders. The following is a copy:

FIFTH AVENUE HOTEL,
NEW YORK, October 27, 1880.

MY DEAR SIR:—Below you will find a schedule of your subordinates, who have several times been asked to contribute the sums set opposite their respective names toward the expenses of the campaign in this State.

You will find opposite each name the amount yet due. The total, unpaid at this date and due from the employees in your office appears to be ——.

Your immediate attention to this matter is very important.

By order of the Executive Committee,

HENRY A. GLIDDEN,
Secretary.

VIRGINIA ASSESSMENTS.

In Virginia the Republican robbery is conducted by proxy, viz: through the instrumentality of its piratical friend and servant, the Great American Readjuster.

Unlike Jesse James, he ignored the code of chivalry.

The follow is his letter:

WASHINGTON, D. C., *August* 1, 1882.

By the Executive Committee you are requested to contribute to our campaign fund $2, for the purpose of the pending campaing of the Readjuster party.

If you will please remit this sum by check or money postal order to C. Clark, treasurer, Richmond, Virginia; and you are requested so to do on or before the 20th of the present month; and at the time of making this remittance you will please notify the undersigned on the back of this sheet.

WILLIAM MAHONE, *Chairman,*

Miss Bettie Bumgardner, Postmistress at Honeyville, Page Co., Va.

LOUISIANA ASSESSMENTS.

In Louisiana a little more politeness is observed, but, like the Republicans of Pennsylvania, their greed is enormous. The vanity of the committee is also very great, for they announce that their labors will affect the Presidential election of 1884. Just how they will accomplish this result we are unable to explain, but probably by profiting from the example of the Louisiana Returning Board of 1876. Their letter is as follows:

Rooms Republican Campaign Committee,
STATE OF LOUISIANA.
Third Congressional District, 69 Canal Street.
NEW ORLEANS, *August* 28, 1882.

SIR: This committee is organized for the protection of the interests of the Republican party in the Third Congressional district of this State—the only one now left in the South.

In order that it may prepare, print, and circulate suitable documents illustrating the issues which distinguish the Republican party from any other, and meet all proper ex-

penses incident to the campaign, the committee feels authorized to apply to all citizens whose principles or interests are involved in the struggle.

Under the circumstances in which the country finds itself placed, together with the existence in the district of a bolting candidate, the committee believes that you will esteem it both a privilege and a pleasure to make to its funds a contribution, which it is hoped may not be less than $40.

The committee is authorized to state that such voluntary contributions from persons employed in the service of the United States will not be objected to in any official quarter.

The labors of the committee will affect the organization of the next House of Representatives in Congress and the next Presidential election in 1884; and it may, therefore, reasonably hope to have the sympathy and assistance of all who are opposed to the Democratic party.

Please make prompt and favorable response to this committee.

Very respectfully,

THEO. FONTELIEU,
Chairman Finance Committee

A NEFARIOUS THEORY.

In an able article on political assessments, in the *North American Review* for September, 1882, the writer points out its evils in the following pointed way:

"The enforcement of this nefarious theory by the 'Robber Barons' of politics was never so universal, so shameless, so barbarous, or so indiscreet as at this moment. The Federal pay-rolls call for more than fifty million dollars a year. On that sum the avowal is a levy of only two per cent., but the actual demand upon employees and small officials is far greater. If the committee expect to extort only a fourth of the one million dollars and more they demand, it but shows the effrontery of their pretense of a willingness to pay, and that they have no compunctions in excusing the landlord class and wringing the whole corruption fund from the most timid and humble of the tenant class. Very likely they expect little more from members of Congress and great officials than the pittance they got in 1878. It is not sharks and whales they have the courage to fish for, but herrings and dace. Boys are bullied for a dollar!

"Could the curtain of secrecy be lifted, we should see a vast drag-net of extortion thrown out by the committee from Washington over the whole land from Maine to California, with every humble official and laborer—from those under the sea at Hell Gate to the weather observers on Pike's Peak—entangled in its meshes; and, busy among them, for their prey, a series of tax extortioners ranging down from Hubbell the great Quæstor to little Hubbells by the hundred, each paid a commission* on his collections in true Turkish fashion (to which the large amounts extorted beyond regular plunder rate are added.) These minions, book in hand, are haunting the official corridors and tracking the public laborers. They mouse around the bureaus for names and salaries which all high-toned officials contemptuously withhold. Neither sex, age, nor condition is spared by these spoils system harpies. They waylay the clerks going to their meals. They hunt the Springfield arsenal and the Mississippi breakwater laborers to their humble homes. They obtrude their impertinent faces upon the teachers of Indians and negroes at Hampden School and Carlisle Barracks. They dog navy-yard workmen to their narrow lodgings. The weary scrub-women are persecuted to their garrets; the poor office-boys are bullied at their evening schools; the money needed for rent is taken from the aged father and only son; men enfeebled on the battle-fields are harried in the very shadow of the Capitol; life-boat crews, listening on stormy shores for the cry of the shipwrecked, and even chaplains and nurses at the bedside of the dying, are not exempted from this merciless, mercenary, indecent conscription, which reproduces the infamy of oriental tax-farming.

"We know of the head of a family who hesitates between defying Hubbell and taking a meaner tenement; of a boy at evening school blackmailed of three dollars while wearing a suit given in charity, and of a son pillaged of seventeen dollars when furniture of the mother he supports was in pawn; and many have consulted us as to the safety of keeping their earnings, which they need. In every case there is fear of removal or other retaliation. Pages could be filled with such cases from the reports of citizens. A newspaper before us gives that of a laborer, with a family, earning seven hundred and fifty dollars a year, pur-

sued by a harpy for fifteen dollars; and also that of a boy of thirteen, earning one dollar a day, with another harpy after him for three dollars and sixty cents. To women and girls no mercy is shown."

Not Hubbell, perhaps, for he disinterestedly took a round five thousand dollars - one-twentieth of the whole—for his own dear Michigan in 1878, and doubtless expects ten thousand dollars this year. Surely he will go back to Washington; and what gratitude from the "shysters and camp-followers" of his

DEMOCRATIC PROTESTS.

SENATOR PENDLETON'S SPEECH.

On the 26th of June Senator Pendleton offered in the Senate a resolution instructing the Committee on Civil Service and Retrenchment to inquire whether any attempt had been made to levy and collect assessments for political partisan purposes from any employees of the Government. In speaking upon this resolution he made some very pointed remarks upon the Hubbell assessment letter, which we have published above. He said:

"Mr. President, when I offered this resolution two or three weeks ago I was anxious for information. I did not know the state of facts as they existed at that time. I had seen mentioned in the newspapers that the Republican Congressional committee was about to take means to replenish its funds, and vague intimations were given that a circular under the form of a request for voluntary contributions, but in fact a demand for specific sums of money, was being distributed among the employés of the Departments and the employés of the two Houses of Congress. I had also heard that this circular was drafted by authority, and that its language conveyed covert promises, with implied threats, in case the demands were not acceded to.

"I was quite astonished, somewhat startled, when I found that this resolution met with objection. I had supposed that no Senator would object to having the truth discovered as to this circular and its intent; and certainly that no Senator would object to the inquiry whether contributions were being levied under the guise of invitations for voluntary contributions.

"Mr. President, I was not quite as much astonished as those words would imply, and candor requires me to say that I was more astonished at the form than the substance of the objection. I had thought if gentlemen objected to it at all they would not do so in express words, but would consign my resolution to an untimely grave in the friendly grasp of a committee of investigation.

"Be that as it may, I desired information and was sincerely seeking it. A friend of mine who sits upon this floor and who has some opportunities of knowledge gave to me one of the circulars. He gave it rather in confidence, though not entirely so, rather with the understanding that I should use it for my own information than otherwise; but I was enabled to hand back that circular to him within two days, not having exhibited it to anybody else and scarcely having had time to read it myself, for as soon as the resolution appeared in the newspapers I received from many cities and from many States and from many classes of employés of this Government copies of the circular which had been sent to them. I have in my hand quite a number of copies of it. It is very nicely gotten up, written with care, as nicely as a *billetdoux* between lovers or an hospitable invitation to dinner.

* * * * * * *

"As far as I have seen, all of these circulars are in exactly the same language, except that a blank was left in each originally to be filled by the amount which a certain specified proportion of the salary that the man received would reach. Now, sir, in order that there may be no charge of unfair dealing with this committee and its circular, I have read to the Senate every word of it, and I ask the Senate to consider it a little in detail.

"The committee is organized for the protection of the interests of the Republican party in each of the Congressional districts of the Union.

"Party from beginning to end, the country nowhere alluded to—'the interests of the Republican party in each of the Congressional districts.'

"In order that it may prepare, print, and circulate suitable documents illustrating the issues which distinguish the Republican party from any other, and may meet all proper expenses incident to the campaign the committee feels authorized—

" 'Feels authorized!' What necessity is there to have authority to invite gentlemen who desire to make a voluntary contribution to a political fund? What is the necessity for any authority for an invitation of that kind?

" 'Authorized!' By whom authorized—for what purpose authorized? To apply for contributions to the Republican expense fund! Apply to whom? Apply to 'all those whose interests are involved in this struggle.'

"The committee discriminates very closely between those whose principles lead them to desire the success of the Republican party and those whose interests are involved in the struggle; those whose principles *or* interests induce them to take an interest in this struggle. Who are they, Mr. President? Who are interested beyond what their principles require in the success of the Republican party in the coming campaign? It is the officers; it is the office-holders; it is those who enjoy the powers and emoluments of office; it is those who are in possession of the political power and the moneyed emolument at the disposal of the party. When application is to be made for authority to apply to these officers for a money contribution, who is it that can give the authority to make the application? Manifestly those who have the power of appointment and dismissal; manifestly those who can say to these gentlemen whose interests are involved, 'contribute to the success of this party or the power of appointment and dismissal is hung over your head.' I submit to gentlemen on this committee that the paraphrase was entirely unnecessary. I submit that the circumlocution was entirely out of place, and that it would have been much more direct and much more pointed and equally delicate to have said, 'we are authorized by those who have the power of appointment and dismissal to say to you whose offices are involved in this struggle that we are authorized to make this application for money to you.'

"The circular starts out with a declaration on its face, which any man who can read at all can read between the lines: We are authorized by those who hold your places in their hands to apply to you office-holders of the Government to make this contribution because your interests are involved in this struggle.

"The circular continues:

"Under the circumstances in which the country finds itself placed, the committee believes that you will esteem it both a privilege and a pleasure to make to its fund a contribution.

" 'A privilege and a pleasure!' Indeed, a blessed privilege; an exquisite pleasure! These officers forsooth, would never have had the opportunity of enjoying this privilege and pleasure if this committee had not given them the opportunity and the method; the opportunity in the sinking circumstances of the fortunes of the Republican party, and the method by contributions to the committee! Knowing that these office-holders would bo excluded from the enjoyment of this privilege and this pleasure, except for the invitation of this committee, thus kindly tendered to them: knowing that as soon as they heard it these officers would be able and willing, nay, would be eager and anxious, to embrace the opportunity, this committee, fearing that in a moment of enthusiasm and desire to indulge in the enjoyment of this privilege and pleasure the office-holders might contribute in excess of what was proper, or fearing on the other hand lest an ascetic self-denial might keep them below the bounds of legal moderation, inform the office-holders that the committee judge it would be about right that they should enjoy this privilege and pleasure to the extent of $20 worth; and then fearing that that might be a damper upon their ardor, the committee express the hope that the contribution shall not be less than the amount suggested by the committee, to wit, $20.

"The committee is authorized to state that such voluntary contributions—

" 'Voluntary contribution!' Voluntary as the contribution the traveler makes

to the pocket of the highwayman when commanded to stop and hold up his hands; voluntary as the contribution which the man of the world makes to the harvest of the Great Reaper when he puts in his scythe—

"voluntary contribution from persons employed in the service of the United States will not be objected to in any official quarter.

"Mr. President, is a voluntary contribution objected to anywhere? And does it need any close discrimination as to that passage to see that it means that, while contributions will not be objected to in any official quarter, a refusal to make the contribution will meet with the condemnation of all official quarters?

"The labors of the committee will affect the result of the Presidential election in 1884, as well as the Congressional struggle; and it may therefore reasonably hope to have the sympathy and assistance of all who look with dread upon the possibility of the restoration of the Democratic party to the control of the Government.

"'With dread!' Who look with dread upon it? What sensible man in this country looks with dread upon it? The people of the country do not look with dread, the material interests of the country do not look with dread, the patriotism of the country does not look with dread, for at the last two Presidential elections the people of this country have been as nearly as possible divided in numbers upon the question as to which party better deserves success. In the Presidential election before the last it is an undisputed fact that a numerical majority of the people of the United States did actually vote to restore the Democratic party to power.

"'We appeal to you for sympathy and assistance, and we hope you will make prompt and favorable response to this letter.' How? By sympathy? By expressions of confidence? By telling us the political necessities of your neighborhood? By going forth as an apostle to demonstrate to the people the excellence of the principles of the Republican party? No, sir; none of such sympathy we want. It is your assistance which we hope you will promptly send to us by sending 'a bank-check, or draft, or postal money-order,' payable to the treasurer of this committee.

"Now, Mr. President, I will not insult the Senate by undertaking to prove to it that this is no invitation for a voluntary contribution. I will not waste its time by showing that it is a demand for a specific sum of money, levied according to a rule, accompanied by a promise and a threat. 'Your purse or your official life,' is the alternative offered; or to use the language of President Garfield in describing a circular almost identical in terms with this, 'It is a circular sent to the employees of the Government upon the distinct understanding that if they fail to make return according to the demand, in check or postal money-order, others will be found to take their places who will receive their salaries and pay up the assessment.'

"Mr. President, to whom has the circular been sent? I venture to say here upon this floor, and I speak it upon information which challenges my belief, that this circular has been sent out to every person whose name can be found on any of the rolls of employees of the Government, however remote they may be from the source of power itself. The circular has been sent to the Boston custom-house—seven hundred copies of it—and a demand made for an aggregate of $15,000. It has been sent to the armory at Springfield, and an assessment of $18 been made upon each armorer in that institution. It has been sent to the great offices in New York, the post-office and the custom-house, and the collector's office, and the various institutions connected with the Government there. They have won exceptional credit by reason of their freedom from the debasing arts of political assessments, and yet are to be again plunged into the mire from which they so laboriously have emerged. It has been sent out to employes at Chicago, and assessments made there of $9.30. It has been sent to every postmaster in the country; at least I have returns from almost every State east of Nevada. It has been sent to the men engaged upon the works on the Ohio River at Marietta, and $18 has been assessed and demanded of men who day by day for their daily wages cut stone in making the dam. It has been sent to every employe in the Departments in Washington, every clerk, and they have been assessed in various amounts from $18 to $50. This circular has been sent to men who are engaged in daily labor on the Capitol grounds, digging up and beautifying these grounds,

and $6 has been assessed upon each of them. It has been sent to the boys in the Printing Office, to whom you pay only a dollar a day and furlough them without pay, and $7 has been demanded from each of them. It has been sent to enlisted men in the Army, and an assessment of $18 made upon men who are paid from the Army appropriation bill. Wherever a name can be found upon the pay-roll of the Government for any amount, great or small, this circular has been sent, and it is being sent now to those to whom time has not allowed it to be sent before.

I said it had been sent to every clerk in all these Departments. Why, sir, it has been sent to those unfortunate ladies whom the exigencies of life now compel to support a family off the pittance earned painfully by them, which would scarcely have sufficed to dispense their yearly charity in other days. It has been sent to the women who scrub out the Departments in this city, and whose poverty is so great that when they leave for their daily work they are obliged to lock up in their close and fetid room the infant children who cannot be allowed to wander in danger in the streets. It has been sent to the employes of the Senate, and men have been required to pay $30 in order that they may hold their places.

Nay, more, Mr. President, it has been sent, at least in the other House, and possible in this, to the little pages, bright, intelligent, active little fellows who do the bidding of members there and here. I imagine I can see this grave committee with this circular in their hands going to one of these little pages and saying to him by his appreciation of the emergencies of the country, by his appreciation of the excellence of Republican practices, by his dread of the restoration of the Democratic party to power, he shall make his contribution of $9 in order to avert such a terrible calamity.

Mr. President, if this were not a sad scene of political degeneracy and partisan tyranny it would be in many of its aspects a broad farce.

I have no fitting words in which to express my apprehension of the degradation and danger of this whole system, of which this is one of the most dangerous outgrowths. It demoralizes and breaks down every man connected with it, those who give and those who take alike. Among the names on this circular are some of our own cherished associates and members, men of the other House also who stand high in the estimation of their party and their country. They are important factors in wielding the political destinies not only of their party but of their country, honorable, upright, excellent gentlemen to whom we would willingly commit, and do commit our honor, and if necessary would commit our lives, men who could not be forced even by torture to go themselves and with this circular in their hand to make application to these persons to whom it is sent; men who could not be induced to do it; who would feel it to be a personal dishonor to do it Yet together they combine and put in operation this machine which has no heart to be touched, no body to be punished, no soul to be damned, to visit the houses of the widow and the fatherless, and extract from them for political partisan purposes a large proportion of their hard earnings.

It degrades the men to whom it is sent. What sense of self-respect can there be in the man who feels himself compelled to submit to this extortion which his honest judgment abhors and which his penury rejects, and yet is obliged with a hypocritical smile to pretend that it is a voluntary contribution? What faithful, honest personal service in office can a man render when he feels that upon his very best service is put this badge of servitude? How can he admire with his whole heart as he ought and devote himself absolutely to the duties of an office when he is made to buy with money that office which he knows, and everybody who will think a moment knows, is a public trust involving duties to the public? What discipline can there be in a system when all above him and all below him are bound together by the consciousness of this common degradation? The galley slaves are chained together, their proximity making them conscious of the common infamy, and the common degradation and the common punishment make them hate and despise and dread and suspect and injure each other.

Mr. President, this system is a great wrong to the people. A fair day's work and a fair day's pay is common honesty imported into our Government. If these employees can have extracted and abstracted from their salary 2 or 4 or 10 per cent., and yet sufficient remuneration left to them, then I say the deduction should be made directly from their salary and be left in the Treasury.

I will not speak of what this system may be, if against their interest, against their will, against their moneyed capacity, these men are compelled to submit these contributions if they are extracted out of the suffering of themselves and their families. When I see that this system tends to such degradation, such demoralization, to the breaking down of our civil administration, the destruction of the instinct of patriotism in our country, I declare upon my conscience I believe it would be better for the country, better for the service, better for the people, if a felonious hand were put into the Treasury of the United States and this money were abstracted for this purpose and a clear thing be made of it by charging it up to "soap."

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"Have we not been told, are we not told constantly, that this Republican party is the party of God and morality in the country? Has not the gentleman declared with a seriousness of tone and sincerity of manner that leaves no room to doubt his conviction of the truth, that it is the best and purest party that has ever existed in this Government. Why, sir, I have read the description of a party like this: 'But all their works they do for to be seen of men; they make broad their phylacteries, and enlarge the borders of their garments; and love the uppermost rooms at feasts and the chief seats in the synagogues; and greetings in the markets, and to be called of men, "Rabbi, rabbi."

"And it, after making all the professions of purity and excellence and faith, when you happen through the flimsy device to be caught in evil practices, you seek to screen yourselves from the consequences behind the examples of others, there will be denounced against you that terrible anathema, 'Woe unto you * * * hypocrites, for ye devour widows' houses, and for a pretense make long prayer; therefore ye shall receive the greater damnation.'

"Mr. President, men of our race and language have always been tenacious of the purity of the civil service of their Government. Even as our fathers emerged from the ages which we are in the habit of calling dark, they began to require that the purity of civil service should be the characteristic of their Kings as well as of their Commons. Six hundred and fifty and more years ago King John in the Magna Charta was compelled to declare:

We will not make any justiciars, constables, sheriffs or bailiffs, but of such as are knowing in the law of the realm, and are disposed duly to observe it.

"Nearly a hundred years afterward in the time of Richard II, in 1288, the Commons passed a statute—

That the chancellor, treasurer, &c., the justices of the one bench, and of the other, &c., and all other that shall be called to ordain, name or make justices of the peace, sheriffs, escheators, customs, comptrollers or any other officer or minister of the king, shall be firmly sworn that they shall not ordain, name or make justice of the peace, sheriff, escheator, customer, comptroller nor other officer or minister of the king for any gift or brocage, favor or affection; nor that none which pursueth, by him or other, privily or openly, to be in any manner office, shall be put in the same office or in any other; but that they shall make all such officers and ministers of the best and most lawful men, and sufficient to their estimation and knowledge.

Lord Coke says that that was—

A law worthy to be written in LETTERS OF GOLD, but more worthy to be put in due execution.

"A few years passed on and Edward IV, pressed by his necessities, commenced to levy 'benevolence' upon the commons of England, which the people very turbulently, as he thought, called 'malevolence,' and thereupon, in the first year of Richard III, the bloody monster as he was called, Lord Coke mentions how 'the exaction under the good name of *benevolence*,' begun in 12 Edward 4, came to be so that 'many of the people did much grudge at it and called it a *malevolence*.' He refers to 1 Richard III, wherein the commons recite:

"That 'the commons of this realm, by new and unlawful inventions and inordinate *covetise* against the law of this realm, have been put to great thraldom and *importable* charges and exactions, and in especial by a new imposition named a *benevolence*, whereby divers years, the subjects and commons of this realm, against their wills and freedom, have paid great sums of money'—

After which, and other recitals, it is ordained—

"That his subjects and the commonality of this his realm, from henceforth in no wise be charged by none such charge (exaction) or imposition called benevolence, nor by such like charge; and that such exactions called benevolences afore this time taken *betake* for no example to make such or any like charge of any his said subjects of this realm hereafter, but it be *damned* and *annulled* forever."

And Lord Coke, speaking of this very statute, 1 Richard III, says that—

Of the acts of Richard the Third one of the wisest was that of 1 Ric. III., ch. 2, "an act to free the subjects from *benevolences!*" But he did not adhere to it. There is mention of letters sent by him exacting these benevolences and specifying the sum which each person was *required to give*. It is stated that "this" was "a fatal blow at what remained of his popularity."

"History repeats itself. Benevolence exacted for his private purposes by the king which the people called malevolences, and which were rejected and repudiated by the Commons. He seemed to favor the rejection, but he sent out circulars even in those days to his good subjects, and specified in those circulars the amount of money which he required them to pay. Behold the example which this committee has followed!

"Mr. President, to these principles embodied in Magna Charta, embodied in these statutes, the people of our race have always been true. Sometimes they have wandered, sometimes they have straggled from the paths, but they have speedily returned to them, and in their return they have always been led in England by the Commons, and in this country by the Democratic party. To-day the time has come when they shall be led again to appreciate the beneficence of a pure civil administration. To-day the Democratic party is putting itself at the head of that return, civil service reform is writ on its escutcheon and emblazoned on its banner. By its strength and in order to perfect it, the Democratic party will sooner or later come into power. I say to Senators on the other side of the Chamber that the sooner it comes into power the better it will be for them and for the country. It may for a moment wound their susceptibilities, but it will advantage their prosperity and their liberties. When that time does come, when we shall take possession of this Government, when we shall put in the high places of power our worthiest and best, the President of the United States, the chief of the state, under the people the source and fountain of honor and powers in this country, will be able to say to all as Van Artevelde said in response to Vauclaire who was thanking him for his promotion:

Nay! say no more.
You owe me nothing; what I have to give
Is held in trust, and parted with for services;
Value received is writ on my commissions;
Nor would I thank the man that should thank me
For aught as given him gratis. * * *

* * * * * * * * *

Supremacy of merit, the sole means
And broad highway to power. * * *
* * * meritoriously administer'd
While all its instruments from first to last,
The tools of state, for service high or low,
* * * chosen for their aptness to those ends
Which Virtue meditates.

MR. FLOWER'S POINTED REMARKS.

On the 26th of June while the subject of internal revenue taxation was under discussion in the House, Mr. Flower, Chairman of the Board of Control of the Democratic Campaign Committee, said:

"I can say for myself I made the plain statement in my canvass that I would not purchase a vote if I never came to Congress. And that is the reason I came here.

"What about the 2 per cent. assessment? On the anniversary of President Garfield's death the question as to the 2 per cent. assessment is ringing through the papers. I give you notice that with all such means to corrupt the voters of this country you cannot buy them. And I desire to say, as a member of the

Democratic campaign committee of this Congress, I will not solicit a single subscription. Go on; assess. Draw in your funds from the internal revenue system. You are welcome. Your refusal to lighten the load of the people is more than all your money can atone for."

U. S. STATUTE ON ASSESSMENT.

The law regarding political assessments is as follows :

"Sec. 6. That all executive officers or employees of the United States, not appointed by the President with the advice and consent of the Senate, are prohibited from requesting, giving to, or receiving from any other officer or employee of the Government, any money or property, or other thing of value for political purposes;

"And any such officer or employee who shall offend against the provisions of this section shall be at once discharged from the service of the United States;

"And he shall also be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in a sum not exceeding five hundred dollars."

CONVICTION THEREUNDER.

Gen. N, M. Curtis, while holding a position as special agent of the Treasury Department, receiving $500 per month, was elected treasurer of the Republican State Committee of New York, and served as such in the campaign of 1881. It was a notorious fact that Gen. Curtis received money from Federal employees in New York city.

The following circular was issued :

STATE OF NEW YORK, REPUBLICAN STATE COMMITTEE,
FIFTH AVENUE HOTEL,
NEW YORK, October 11th, 1881.

DEAR SIR:—The Republican State Committee beg leave to respectfully remind you of the unusual importance of the approaching election in the State of New York. In the belief that, upon consideration of the great interests involved, you may judge it proper to assist the committee, we respectfully suggest that you contribute $ on or before October 18th, for the purpose of defraying the necessary expenses of the campaign.

Checks or postal orders should be made payable to the order of Gen. N. M. Curtis, *Treasurer*.

Very respectfully,
JOHN W. VROOMAN,
Secretary.

Among others it was admitted that Gen. Curtis recieved $5 from Peter Vogelsang, $10 from Joshua Wells, $35 from Nathan B. Rice, $80 from Wm. A. Jones, $30 from N. K, Sandford, $20 from Chas. Crandall, $20 from J. Irving Burns, $48 from Jno. Herrick, all of the New York Custom House. Gen. Curtis was indicted January 2. 1882, and was convicted. His fine was promptly paid by the New York Republican State Committee.

WEBSTER'S OPINION IN 1841.

While Daniel Webster was Secretary of State, in 1841, he issued the following order which may be applied with equal force to the political highwaymen of to-day :

DEPARTMENT OF STATE, March 20, 1841.

To the Honorable Thomas Ewing, Secretary of the Treasury:

SIR:—The President is of opinion that it is a great abuse to bring the patronage of the general government into conflict with the freedom of elections, and that this abuse ought to be corrected wherever it may have been permitted to exist, and ought to be prevented for the future.

He, therefore, directs that information be given to all officers and agents in your department of the public service that partisan interference in the popular election, whether of State officers or of officers of the (Federal) government, and for whomsoever and against whomsoever it may be exercised, *or the payment of any contribution or assessmeat on salaries or official compensation for party or election purposes* will be regarded by him as cause for removal.

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DANIEL WEBSTER.

THE LOGICAL AND FEARFUL RESULT.

The logical and tragic result of the spoils system was forcibly stated by Senator PENDLETON (Dem.) early in the present session. He said on the floor of the Senate, December 13, 1881:

"The offices of the Government—those involving neither political power nor the choice of policies, but routine administration only—touch at some point and in some degree the material interest of every one of our fifty millions of people. To say that the men best fitted for the work should be appointed to these offices and should hold them until men still better fitted should appear is to utter a truism which not one of these fifty millions will controvert. And yet it has come to pass that the unanimity in admitting this truth in words is only equaled by the unanimity in disregarding it in action. It has come to pass that the offices are dealt with as the prizes of partisan activity; as the rewards to be distributed to active, faithful henchmen by party chiefs of high or low degree, to be held until the salary or emolument or honor shall have furnished a sufficient compensation, and then to be given to another partisan worker who has performed greater or later service. This practice has permeated every part of our Government, Federal, State, county, township, and municipal. It reaches every appointive office. It involves every officer, almost every man supposed to have influence with the appointing power. It affects the appointment and tenure as well of the laborers on the streets as of the members of the Cabinet.

"I need not particularize. The rule universal—if there be any exception, it only emphasizes the rule—is service and office, partisan work and official salary as pay, and change in the office-holder as soon as the salary shall have paid for the work or a better or newer worker appears.

THE SPOILS SYSTEM.

"This is the spoils system. The name explains it. The name opens up to every thoughtful man, nay, to every man who will see even without thinking, a vision of wrong, injustice, brutality, wastefulness, recklessness, fraud, peculation, degradation of persons and of parties, which has driven from public life much of the cultivated intellect and refined morality of the country, and fills even the most hopeful mind with sadness for much in the present and grave anxiety for the future.

ASSASSINATION.

"Shall I illustrate?

"Last summer the President of the United States, leaving his house in company with his sons, his friends, and his Cabinet, for a brief respite from the cares of his great office, without a body-guard of detectives, or police, or soldiers, as becomes the chief magistrate of a republic, entered a railroad depot to take the train. He was shot down by an assassin.

"The whole people was shocked by the incident. Its great heart was profoundly touched by the magnitude of the crime, the calm fortitude of the sufferer, the splendid courage and heroic tendencies of his loving wife, herself faint and ill from disease, and by the sudden fear of imminent and unknown perils to the Republic. The people watched with intense solicitude the progress of the President's illness. Their keen anxiety, their tender sympathy were unbounded during those months of harrowing suspense. Throughout that long-continued and fearful strain on their patience, in the very spirit of self-government, they were calm, self-contained, prepared for any emergency, believing that the midst of danger is the place for the deliberate performance of duty.

"I will not dwell on the character of the President. All will agree with me that he was singularly gentle and considerate in his manners, and that he would refuse a request or reject an application in such terms as not to aggravate the pains of disappointment. I will not dwell on the character of the crime or its possible effects on our institutions and habits of thought. These topics, however interesting, are not in my line of thought to-day.

"What influences contributed to the commission of that crime? How can they be eradicated?

"I indulge in no surmises. I take the case as it appears on the surface. A man of ordinary intelligence, of ill-balanced mind, a bitter partisan, a speaker of some fluency, a writer of sensations, of small pecuniary resources, averse to labor, casting about for a support with plenty to get and little to do, desired an office. Thereupon, professing to be an ardent politician, to have been of service in the canvass then lately concluded by a victory for the Republican party, he invades the Department of State and beseeches a consulate. He invades the White House, and failing an interview he writes letters of sympathy with the President in the factional fights of his party. Still failing in his purpose, he, in his wrath, espouses the cause of the opposing faction, and arming himself, shoots down the President who would not give him an office or instruct his Secretary to do so. I do not stop to inquire whether he uttered the words attributed to him, "I am a Stalwart, and now Arthur will be President." The fact is patent that he wanted an office and did not get it, and he believed the President was responsible for his failure. He wanted a new deal, a new distribution of offices. He believed that a new President would make a new distribution and that he would have another chance. The desire for office—the belief that he had earned it—the belief that the President could and ought to divide the spoils among the victors—the brutality of our politics, which traduces character and villifies motives, whenever a difference of opinion or action exists—these made this crime possible; these made it possible for the assassin to assert that he thought he was doing his party and his country a service; these are thefestering beds in which such fools are born into such madmen, and such schemes of wicked deviltry are hatched.

"The act of Guiteau is exceptional; the causes which contributed to it are imbedded in our system and are ever present.

"Instinctively the people, without distinction of party, traced the source and significance of Guiteau's act. They found it in our system of administration. Their intelligence was made keenly active. Their conscience was awakened. Their sensibility was touched. It needs but little guidance to lead them to the determination, by law and by a public opinion stronger than the law, to destroy this office-giving and office-seeking system. That system is the real assassin of Garfield."

REPUBLICANS SELF-CONDEMNED.

HOAR ON CORRUPTION.

After reading the above arraignment by Democratic statesmen, perhaps the people would like the opinion of a loyal Republican leader upon the evil practices of his party. We have some very interesting reading of this kind which we will reproduce—we refer to Senator Hoar's scathing remarks in the House of Representatives in presenting the charges against Secretary Belknap. We feel authorized to apply the stinging spirit of these words to the present evil practices of the same corrupt party. He said:

"My own public life has been a very brief and insignificant one, extending little beyond the duration of a single term of senatorial office; but in that brief period, I have seen five judges of a high court of the United States driven from office by threats of impeachment for corruption or maladministration. I have heard the taunt, from friendliest lips, that when the United States presented herself in the East to take part with the civilized world in generous competition in the arts of life, the only product of her institutions in which she surpassed all others beyond question was her corruption. I have seen in the State of the Union foremost in power and wealth four judges of her courts impeached for corruption, and the political administration of her chief city become a disgrace and a bye-word throughout the world. I have seen the chairman of the Committee on Military Affairs in

the House, now a distinguished member of this court, rise in his place and demand the expulsion of four of his associates for making sale of their official privilege of selecting the youths to be educated at our great military school. When the greatest railroad of the world, binding together the continent and uniting the two great seas which wash our shores, was finished, I have seen our national triumph and exultation turned to bitterness and shame by the unanimous reports of three committees of Congress—two of the House and one here—that every step of that mighty enterprise had been taken in fraud. I have heard in the highest places the shameless doctrine avowed by men grown old in public office that the true way by which power should be gained in the Republic is to bribe the people with the offices created for their service, and the true end for which it should be used, when gained, is the promotion of selfish ambition and the gratification of personal revenge. I have heard that suspicion haunts the footsteps of trusted companions of the President." (Trial of Belknap, p. 63.)

A DEMOCRATIC LETTER IN CONTRAST.

In marked contrast with the above black record of Republican greed, tyranny and corruption, is the circular letter issued by the Democratic Congressional Committee. We ask the people and voters to look carefully at the two pictures, and at the coming elections indicate their choice.

The letter is as follows:

HEADQUARTERS DEMOCRATIC CONGRESSIONAL COMMITTEE,
WASHINGTON, June 30.

DEAR SIR:—The Board of Control of the Democratic Congressional Committee, *having neither the funds nor the disposition to corrupt the public mind*, yet very desirous of placing the views of the Democratic party before the country, earnestly request and confidently anticipate the co-operation of the local Democratic press to that end.

The board would suggest that liberal extracts from the speeches which will be sent you from time to time be printed in your paper with such comment as you deem proper.

Your participation in this work cannot fail to increase your circulation and influence, while it will be of the greatest service in crystalizing and educating the party.

Very truly yours, R. P. FLOWER, Chairman.

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